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# L A W S

OF THE

# STATE OF ILLINOIS,

ENACTED BY THE

THIRTY-SECOND GENERAL ASSEMBLY.

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CONVENED JANUARY 5, AND ADJOURNED MAY 30, 1881.

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*Printed by authority of the General Assembly  
of the State of Illinois.*

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SPRINGFIELD, ILL. :  
H. W. ROKKER, STATE PRINTER AND BINDER.  
1881.



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# PUBLIC LAWS OF ILLINOIS.

## ADMINISTRATION OF ESTATES.

### ADMINISTRATORS AND EXECUTORS.

§ 1. Administrators' and executors' bonds. In force July 1, 1881.

AN ACT to amend sections seven (7) and twenty-three (23) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections seven (7) and twenty-three (23) of an act entitled "An act in regard to the administration of estates," in force July 1, 1872, be and the same are hereby amended so as to read as follows, to-wit:*

"§ 7. All executors hereafter appointed, unless the testator shall otherwise direct in the will, and all administrators with the will annexed, shall, before entering upon their duties, enter into bond with good and sufficient security, to be approved by the county court, and in counties having a probate court, by the probate court, in a sum double the value of the personal estate, and payable to the People of the State of Illinois, for the use of the parties interested, in the following form, to-wit:

"Know all men by these presents, that we, A, B, C, D, and E, F, of the county of ....., and state of Illinois, are held and firmly bound unto the People of the State of Illinois, in the penal sum of ..... dollars, current money of the United States, which payment, well and truly to be made and performed, we and each of us bind ourselves, our heirs, executors and administrators, jointly, severally and firmly by these presents.

Witness our hands and seals this ..... day of ..... A. D. 18....

"The condition of the above obligation is such, that if the above bounden A B, executor of the last will and testament of G H, deceased, (or administrator with the will annexed of G H, deceased, as the case may be) do make, or cause to be made, a true and perfect inventory of all and singular the goods and chattels, rights and credits, lands, tenements and hereditaments, and the rents and profits issuing out of the same, of the said deceased, which have or shall come to the hands, possession or knowledge of the said A B, or into the possession of any other person for him, and the same so made do exhibit in the county court (or probate court) for said county of ..... as required by law, and also make and render a fair and just account of his actings and doings as such executor (or administrator) to said court, when thereunto lawfully required, and do well and truly fulfill the duties enjoined on him in and by the said will, and shall, moreover, pay and deliver to the persons entitled thereto, all the legacies and bequests contained in said will, so far as the estate of the said testator will thereunto extend, according to the value thereof, and as the law shall charge him, and shall, in general, do all other acts which may, from time to time, be required of him by law, then this obligation to be void; otherwise to remain in full force and virtue.

“Which said bond shall be signed and sealed by the said executor (or administrator) and his securities, and filed in the office of the clerk of the county court, or office of the clerk of the probate court in counties having a probate court, and spread upon the records; and that where it becomes necessary to sell the real estate of any intestate, for the payment of debts against his estate under the provisions of this act, or in case real estate is to be sold under any provisions of a will, the court shall require the executor (or administrator) to give further and additional bond, with good and sufficient security to be approved by the court, in a sum double the value of the real estate of the decedent sought to be sold, and payable to the People of the State of Illinois, for the use of the parties interested, in the form above prescribed.”

“§ 23. Every administrator, except as is hereinbefore in section eight (8) provided, shall, before entering upon the duties of his office, enter into bond, with good and sufficient security, to be approved by the county court, and in counties having a probate court by the probate court, in a sum double the value of the personal estate, and payable to the People of the State of Illinois, for the use of parties interested, substantially in the following form, to-wit:

“Know all men by these presents, that we, A B, C D and E F, of the county of ..... and state of Illinois, are held and firmly bound unto the People of the State of Illinois, in the penal sum of ..... dollars, current money of the United States, which payment, well and truly to be made and performed, we and each of us bind ourselves, our heirs, executors and administrators, jointly, severally and firmly by these presents.

“Witness our hands and seals, this ..... day of ..... 18.....

“The condition of the above obligation is such, that if the said A B, administrator of all and singular the goods and chattels, rights and credits of J K, deceased, do make, or cause to be made, a true and perfect inventory of all and singular the goods and chattels, rights and credits of the said deceased which shall come to the hands, possession or knowledge of him, the said A B, as administrator, or to the hands of any person or persons for him, and the same so made do exhibit, or cause to be exhibited, in the county court (or probate court) of the said county of, ..... agreeably to law, and such goods and chattels, rights and credits do well and truly administer according to law, and all the rest of the said goods and chattels, rights and credits which shall be found remain upon the account of the said administrator, the same being at first examined and allowed by the court, shall deliver and pay unto such person or persons, respectively, as may be legally entitled thereto; and, further, do make a just and true account of all his actings and doings therein, when thereunto required by the said court, and if it shall appear that any last will and testament was made by the deceased, and the same be proved in court, and letters testamentary or of administration be obtained thereon, and the said A B do, in such case, on being required thereon, render and deliver up the letters of administration granted to him as aforesaid, and shall in general do and perform all other acts which may at any time be required of him by law, then this obligation to be void; otherwise to remain in full force and virtue.

“Which said bond shall be signed and sealed by the said administrator and his securities, attested by the clerk of the county court, or probate court, and filed in his office; and that where it becomes necessary to sell the real estate of any intestate for the payment of debts against his estate, under the provisions of this act, the court shall require the administrator to give further and additional bond, with good and sufficient security, to be approved by the court, in a sum double the value of the real estate of the decedent, sought to be sold, and payable to the People of the State of Illinois, for the use of the parties interested, in the form above prescribed. And in all cases where bonds shall be taken from any administrator *de bonis non*, or in any other case where a form shall not be prescribed in this act, the same shall be made, as nearly as may be, in conformity with the form above prescribed, with corresponding variations to suit each particular case.”

APPROVED May 30, 1881.

## PUBLIC ADMINISTRATORS.

§ 1. Appointment—Term of office—Bond. In force July 1, 1881.

AN ACT to amend sections forty-four (44) and forty-seven (47) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections forty-four (44) and forty-seven (47) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"§ 44. The governor of this state, by and with the advice and consent of the senate, shall, before the first Monday of December, 1881, and every four years thereafter, appoint in each county in this state, and as often as any vacancies may occur, a suitable person to be known as public administrator of such county, who shall hold his office for the term of four years from the first Monday of December, 1881, or until his successor is appointed and qualified; and the public administrators in office at the time of the first appointment under the provisions of this section shall, immediately upon the qualification of the persons appointed under the provisions hereof, turn over all moneys, books and papers appertaining to their offices, respectively, to the persons so appointed; and such public administrators so appointed shall proceed to settle up all unsettled estates in accordance with law."

"§ 47. It shall be the duty of the county court to require of a public administrator, before entering upon the duties of his office, to enter into a bond, payable to the People of the State of Illinois, in a sum of not less than five thousand dollars, with two or more securities, approved by the court, and conditioned that he will faithfully discharge all of the duties of his office, and the court may, from time to time, as occasion shall require, demand additional security of such administrator, and may require him to give the usual bond required of administrators in other cases, touching any particular estate in his charge; and in default of giving such bond within sixty days after receiving his commission, or in default of giving additional security within sixty days after being duly ordered by said court so to do, his office shall be deemed vacant, and, upon certificate of the county judge of such fact, the governor shall fill the vacancy aforesaid."

APPROVED May 30, 1881.

## ANIMALS.

## INDEMNITY TO OWNERS OF SHEEP IN CASE OF DAMAGES BY DOGS.

§ 1. Application within three days—Justices' fees, In force July 1, 1881.

AN ACT to amend an act entitled "An act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879, be amended as follows: That sections five (5) and seven (7) be and the same are repealed. That section six (6) be numbered section five (5), and shall be so amended as to read as follows:

"§ 5. No person having sheep killed or injured, as aforesaid, shall be entitled to receive any portion of the funds herein provided for, unless he shall appear before the nearest justice of the peace who can be found, within three days from the time when such injury or damage is discovered, and make affidavit stating the number of sheep killed or injured, that the name of the owner or keeper of the dog or dogs which destroyed or injured the applicant's sheep is or are unknown, or if known, then stating the name, and that such owner or keeper is insolvent, and that the applicant has received no compensation from the owner or keeper, or any other person, for the damage sustained; and thereupon the said justice of the peace shall enter the same on his docket in the same manner as other suits are docketed, and shall proceed to hear testimony of one or more freeholders as to the number and value of the sheep killed or injured, and from such evidence shall find the damages sustained, and shall make a record of his finding as of judgments in other cases. He shall, upon the request of the applicant in such proceeding, make a certified copy from his docket of said proceeding, and the same, with the original affidavit of the applicant, shall be filed with the county treasurer in counties not under township organization, and in counties under township organization with the supervisor of the town in which such sheep were injured or destroyed, within ten (10) days thereafter, and, when so filed, shall be sufficient evidence of loss or damage by dogs as aforesaid, and the license fund as aforesaid shall be paid out thereupon on the first Monday of March in each year, as hereinbefore provided."

That section eight (8) be numbered section six (6), and be amended as follows, to-wit:

"§ 6. The justice of the peace before whom such application is made shall receive, for hearing and certifying the same, the sum of one dollar, and the witnesses, not exceeding three, shall be allowed fifty cents each. All fees given for services under this act shall be paid out of the fund created by this act, prior to its disposition, as provided in the third section of this act."

APPROVED May 28, 1881.

§ 1. Disposition of funds collected as license fees—Emergency. In force May 30, 1881.

AN ACT to amend section three (3) of an act entitled “An act to indemnify the owners of sheep in cases of damage committed by dogs,” approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three (3) of an act entitled “An act to indemnify owners of sheep in cases of damage committed by dogs,” approved May 29, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows:

“§ 3. It shall be the duty of the county treasurers and supervisors having the custody of the funds collected as license fees, as aforesaid, to pay the same out in the manner following:

“*First*—By such county treasurers to the owners of sheep in their respective counties, and by the supervisors to the owners of sheep in their respective towns, who shall make proof to them, before the first Monday of March in each year, of loss or injury to sheep by dogs other than their own, the full amount of the loss or injury so proved, if there are funds sufficient to pay the same; if there be not sufficient funds to pay such loss or injury in full, then the owners of sheep so sustaining loss or injury, as aforesaid, and making proof thereof as in this act provided, shall be paid out of such fund in proportion to his or her loss or injury, or his or her *pro rata* share thereof.

“*Second*—If there be a balance of such license fund left in the hands of the county treasurer or town supervisor, after paying the losses and injuries sustained as aforesaid, such balance shall be turned into the current county funds, in counties not under township organization, and be appropriated as the county board may direct, and by the supervisor of the town, in counties under township organization, into the general fund of the town, to be disposed of as such town shall see proper.”

Whereas, the moneys arising from the above tax is [are], under the law, disbursed on the first Monday of March, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED May 30, 1881.

## PLEURO-PNEUMONIA AMONG CATTLE.

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| <p>§ 1. Appointment of veterinary surgeon.</p> <p>§ 2. Quarantine and slaughter of animals in case of epidemic.</p> <p>§ 3. Appraisement of slaughtered animals.</p> <p>§ 4. Prohibition of imported cattle during epidemic.</p> <p>§ 5. Penalty for neglecting to report disease.</p> | <p>§ 6. Report of state veterinarian.</p> <p>§ 7. Payment of claims for slaughtered animals.</p> <p>§ 8. State veterinarian—compensation—and appraisers' and physicians' fees.</p> <p>§ 9. Appropriates \$8,000 as a contingent fund.</p> <p style="text-align: right;">In force July 1, 1881.</p> |
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AN ACT to suppress and prevent the spread of pleuro-pneumonia among cattle.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the governor of this state is hereby authorized and instructed to appoint a competent veterinary surgeon, who shall be known as State Veterinarian or Inspector, and whose duty it shall be to investigate any and all cases of contagious or infectious disease among domestic animals of the bovine species in this state, which may be brought to his notice by a competent veterinary surgeon or practicing physician in the locality where such infectious or contagious disease may exist, and it shall be his duty to make visits of inspection to any locality where he may have reason to suspect that contagious or infectious disease may exist.

§ 2. In all cases of pleuro-pneumonia among cattle in this state, the state veterinarian shall have authority to order the quarantine of infected premises; and in case such disease shall become epidemic in any locality in this state, the state veterinarian shall immediately notify the governor of the state, who shall thereupon issue his proclamation forbidding any animals of the kind among which said epidemic exists from being transported from said locality, without a certificate from the state veterinarian showing such animals to be healthy. In case of epidemic, as aforesaid, the state veterinarian shall order the quarantine of infected premises, and shall order the slaughter of diseased animals thereon, and in cases of pleuro-pneumonia among cattle, he shall, as hereinafter provided, order the slaughter of all cattle upon the premises which may have been exposed to contagion, but before doing so he shall call in consultation with him two (2) reputable veterinarians or practicing physicians residing within ten (10) miles of the infected premises, and shall not order the slaughter of any animals not actually diseased without a written order signed by one (1) or both of said veterinarians or practicing physicians.

§ 3. Whenever it becomes necessary, as herein provided, to order the slaughter of animals, the state veterinarian shall notify the nearest justice of the peace, who shall thereupon summons three (3) disinterested freeholders of the neighborhood, as appraisers of the value of such animals. Said appraisers, before entering upon the discharge of their duty, shall be sworn to make a true and faithful appraisement, without prejudice or favor. They shall, after making

their appraisalment, return a certified copy of their valuation to the justice of the peace by whom they were summoned, who shall, after entering the same upon his record, and making an endorsement thereon, showing the same to have been properly recorded, return it, together with the order of the state veterinarian, to the person or persons owning live stock ordered slaughtered.

§ 4. Whenever the governor of the state shall have good reason to believe that such disease has become epidemic in certain localities in other states, or that there are conditions which render such domestic animals liable to convey disease, he shall thereupon, by proclamation, schedule such localities, and prohibit the importation of any live stock of the kind diseased into this state, unless accompanied by a certificate of health, properly signed by a duly authorized veterinary inspector. Any corporation or individual who shall transport, receive or convey such prohibited stock, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000) for each and every offense, and shall become liable for any and all damage or loss that may be sustained by any party or parties, by reason of the importation or transportation of such prohibited stock.

§ 5. If any person or persons shall have upon his premises any case of pleuro-pneumonia among cattle, and shall fail to immediately report the same to the state veterinarian, or if any person or persons shall willfully and maliciously obstruct or resist the state veterinarian in the discharge of his duty, as hereinbefore set forth, shall be deemed guilty of a misdemeanor, and upon conviction of either charge shall be fined not less than fifty (50) nor more than five hundred dollars (\$500) for each and every such offense, and upon conviction a second time shall, in addition to the above named fine, be liable to not less than thirty (30) days, nor more than six (6) months imprisonment.

§ 6. The state veterinarian shall annually make a report to the governor of all matters connected with his work, and the governor shall transmit to the department of agriculture such parts of said report as may be of general interest to breeders of live stock, to be published with the proceedings of the State Board of Agriculture.

§ 7. All claims against the state arising from the slaughter of animals, as herein provided for, shall, together with the order of the state veterinarian and the award of the appraisers in each case, be submitted to the governor, and he shall, after having examined each case, if satisfied of the justness of the same, endorse thereon his order to the state auditor, who shall thereupon issue his warrant on the state treasurer for the same so ordered paid by the governor.

§ 8. The state veterinarian shall be entitled to receive for his services the sum of eight dollars (\$8) per day for every day actually employed under the provisions of this act, together with his necessary traveling expenses. He shall make an itemized account to the governor, properly signed and sworn to, of the number of days he has served, and of the expenses which he has paid, and the governor shall, if satisfied that the same is right and proper, endorse thereon his order on the state auditor for the amount. The

appraisers heretofore provided for shall be entitled to receive the sum of one dollar (\$1) each for their services, to be paid out of the treasury of their respective counties, upon certificate of the justice of the peace summoning them. The justice of the peace shall be entitled to receive the ordinary fee for issuing summonses, to be paid out of the town fund in counties under township organization, and out of the county fund in counties not under township organization. The physicians called in consultation shall be entitled to receive for their services the sum of two dollars (\$2) per day, and mileage at the rate of ten (10) cents per mile one way; such compensation and mileage to be paid out of the veterinarian contingent fund. The state veterinarian shall have at his disposition the sum of two thousand dollars (\$2,000), to be expended in disinfecting infected premises and other incidental expenses connected with his work, for which he shall, before entering upon the discharge of his duties, give bond, with good and sufficient securities, in the sum of five thousand dollars (\$5,000), and shall make a sworn statement to the governor of the amounts he disburses. Any part of said two thousand dollars (\$2,000) not used shall lapse into the state treasury.

§ 9. For the purpose of carrying out the provisions of this act, the sum of eight thousand dollars (\$8,000), or so much thereof as is necessary, is hereby appropriated out of the state treasury, to be paid, as hereby provided, out of any funds not otherwise appropriated.

APPROVED May 31, 1881.

## APPROPRIATIONS.

§ 1. Appriates \$15,000.

§ 2. How drawn.

§ 3. Emergency clause.

In foree January 28, 1881.

*AN ACT to provide for the incidental expenses of the Thirty-second General Assembly, and for the care and custody of the state house and grounds, incurred or to be incurred and now unprovided for, until July 1, 1881.*

WHEREAS, no appropriation has been made for the incidental expenses of the Thirty-second General Assembly, and no provision has been made to enable the secretary of state to comply with orders drawn upon him by the general assembly, or either branch thereof, for furniture for committee rooms and the rooms of the presiding officers, carpets for halls, brooms, dusters, maps, buckets, soap, towels, combs and brushes, water pitchers and bowls, locks and keys, postage for committees, water rents, repairs of water pipes and closets, the necessary repairs and improvements in the

halls, committee and clerks' rooms, repairs of chairs and desks, the care and custody of the state house and grounds, and pay of janitors for the state house after the adjournment of the general assembly and prior to July 1, 1881, and such other unforeseen and unenumerated incidental expenses of the general assembly necessary to the use, comfort and convenience of the members thereof; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of fifteen thousand dollars (\$15,000), or so much thereof as may be required, is hereby appropriated to pay for the incidental expenses of the Thirty-second General Assembly, or either branch thereof, or by the secretary of state in the discharge of the duties imposed on him by law or by the direction of the general assembly, or either branch thereof, and which are not otherwise provided for. All bills of expense incurred by either branch of the general assembly to be paid upon the certificate of the presiding officer of that branch of the general assembly for which the indebtedness was incurred, and also certified by the secretary of state and approved by the governor. All other expenditures to be certified by the secretary of state and approved by the governor.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrants upon the state treasurer for the sums herein specified, upon presentation of the proper vouchers, and the state treasurer shall pay the same out of any funds in the state treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the expenses incurred, or to be incurred, for the transaction of the business of the state and the general assembly prior to the first day of July, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED January 28, 1881.

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APPELLATE COURT OF FOURTH DISTRICT.

§ 1. Appropriates \$1,800—How drawn.

In force February 1, 1881.

§ 2. Emergency clause.

AN ACT to make an appropriation for the payment of the expenses incurred heretofore for the Appellate Court of the Fourth District.

WHEREAS, by section eighteen (18) of an act entitled "An act to establish appellate courts," approved June 2, 1877, it was provided that there should be held an appellate court in the fourth district, held at Mount Vernon; and

WHEREAS, said court has been held in accordance with law, and expense incurred in that behalf; and

WHEREAS, no appropriation was made by the last General Assembly for the payment of the expenditures so directed to be made by and for said court; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the purpose of paying the liabilities and expenses incurred, appertaining to the holding of said court since the adjournment of the last general assembly to the first day of July, A. D. 1881, the sum of eighteen hundred dollars (\$1,800), or so much thereof as may be necessary to liquidate said indebtedness, be appropriated out of the state treasury, and that upon presentation of proper vouchers, duly certified by the clerk of said court, and upon an order signed by a majority of the judges of said court, to the auditor of public accounts, the said auditor shall draw his warrants on the state treasurer for the amount of the same, payable to the holder of such vouchers out of the appropriation hereby made.

§ 2. Whereas, it is desirable that said liabilities be paid without further delay, therefore an emergency exists, and this act shall go into effect within ten (10) days after its passage.

APPROVED February 26, 1881.

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A. A. GLENN.

§ 1. Appropriates \$1,118.09, balance of salary due while acting governor in 1875 and 1876.  
In force July 1, 1881.

AN ACT to allow A. A. Glenn one thousand one hundred and eighteen dollars and nine cents as salary of office, while acting governor of the State of Illinois in 1875 and 1876.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of one thousand one hundred and eighteen dollars and nine cents (\$1,118.09), to pay the salary of office of A. A. Glenn, as acting governor of the state of Illinois for sixty-eight days, during the years 1875 and 1876; and on the presentation of properly receipted bills to the auditor of public accounts, he shall draw his warrant on the state treasurer, in favor of said A. A. Glenn, for said amount.

APPROVED March 9, 1881.

FOR HEATING STATE HOUSE, STATE PRINTING AND BINDING, AND OFFICE EXPENSES OF SECRETARY OF STATE.

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| <p>§ 1. Appropriates \$18,250.<br/>                 ¶ 1. \$7,000 for pay of laborers in heating of state house.<br/>                 ¶ 2. \$8,000 to pay for state printing.<br/>                 ¶ 3. \$3,000 to pay for state binding.</p> | <p>¶ 4. \$250 for office expenses of secretary of state.<br/>                 § 2. How drawn.<br/>                 § 3. Emergency, in force March 17, 1881.</p> |
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AN ACT to provide for the expenses of heating the state house, for the state printing, for the state binding, and also for the office expenses of the secretary of state, incurred or to be incurred, and now unprovided for, until June 30, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following appropriations, or so much thereof as may be necessary, be and the same are hereby made to meet the expenses of heating the state house, state printing, state binding, and of the office of secretary of state, incurred, or to be incurred, and now unprovided for, until June 30, 1881:

*First*—The sum of seven thousand dollars (\$7,000), or so much thereof as may be necessary, for fuel, engineers, firemen and laborers in and about the heating department of the state house, and the necessary repairs and incidental expenses in said department of the state house, to be paid by the state treasurer as now required by law.

*Second*—The sum of eight thousand dollars (\$8,000), or so much thereof as may be required, for state printing, to be paid in accordance with the contract, and upon the certificate of the commissioners of state contracts, approved by the governor.

*Third*—The sum of three thousand dollars (\$3,000), or so much thereof as may be required, for state binding, to be paid in accordance with the contract and upon the certificate of the commissioners of state contracts, approved by the governor.

*Fourth*—The sum of two hundred and fifty dollars (\$250), or so much thereof as may be required, for repairs, postage, telegraphing and other incidental expenses of the office of the secretary of state, to be paid by the state treasurer as now provided by law.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrants upon the state treasurer for the sums herein specified, upon presentation of the proper vouchers, and the state treasurer shall pay the same out of any funds in the state treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the transaction of the business of the state, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED March 17, 1881.

## THIRTY-SECOND GENERAL ASSEMBLY AND OFFICERS OF STATE GOVERNMENT.

§ 1. Appropriates \$200,000.

In force March 22, 1881.

§ 2. Emergency clause.

AN ACT *making an additional appropriation for the payment of the officers and members of the Thirty-second General Assembly, and for the salaries of the officers of the state government.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and is hereby appropriated an additional sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, to pay the officers and members of the Thirty-second General Assembly, and the salaries of the officers of the state government, at such rate of compensation as is now, or hereafter may be, fixed by law, until the expiration of the first fiscal quarter after the adjournment of the Thirty-second General Assembly.*

§ 2. Whereas, there does now exist a deficiency in the appropriation heretofore made for the above purpose, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED March 22, 1881.

## LINCOLN MONUMENT ASSOCIATION.

§ 1. Appropriates \$5,000—How drawn.

In force April 13, 1881.

§ 2. Emergency clause.

*An act appropriating the sum of five thousand dollars (\$5,000) to the National Lincoln Monument Association.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of five thousand dollars (\$5,000) be and the same is hereby appropriated to the "National Lincoln Monument Association," of Springfield, Illinois, out of any money in the treasury not otherwise appropriated, to be drawn on the order of the vice-president and secretary of said association, and to be used, under the direction of said association, in finishing the Lincoln Monument, and improving the grounds belonging to and surrounding it.*

§ 2. Whereas, the sum above appropriated will be needed prior to the first day of July, 1881, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED April 13, 1881.

## DOUGLAS MONUMENT AT CHICAGO.

§ 1. Re-appropriates \$4,798—Invests old commissioners with authority to use—How drawn.

§ 2. Emergency clause.  
In force April 13, 1881.

AN ACT to re-appropriate four thousand seven hundred and ninety-eight dollars (\$4,798) to complete the Douglas monument at Chicago, the said amount having lapsed into the state treasury from the appropriation of May 21, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the commissioners named in an act entitled "An act to appropriate fifty thousand dollars (\$50,000) to complete the Douglas monument at Chicago, approved May 21, 1877, be and the same are hereby continued as such commissioners of the said Douglas monument at Chicago, with all the authority, rights, privileges and restrictions named in said act. For the purpose of defraying the cost of the final completion of the said Douglas monument at Chicago, the sum of four thousand seven hundred and ninety-eight dollars (\$4,798) is hereby appropriated out of the state treasury, and the auditor of public accounts is hereby authorized to draw his warrant on the state treasurer for the said amount, out of any money not otherwise appropriated, upon the certificate of a majority of said commissioners, as specified in said act.

§ 2. Whereas, the completion of the said monument, by the commissioners aforesaid, had been contracted for at the time the above said amount lapsed into the state treasury, and that most, if not all, of the work to complete said monument is completed, and the commissioners are owing for the same, therefore an emergency exists, and this act shall be in force from and after its passage.

APPROVED April 13, 1881.

## THIRTY-SECOND GENERAL ASSEMBLY.

§ 1. Appropriates \$5,000.  
§ 2. Emergency clause.

In force May 4, 1881.

AN ACT to make an appropriation to pay the necessary expenses of the different standing and special committees of the two houses of the Thirty-second General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of five thousand dollars (\$5,000) is hereby appropriated from the state treasury, or

as much thereof as may be needed, to pay the necessary expense of the different standing and special committees of the two houses, their clerks, short-hand reporters, experts and witnesses of the Thirty-second (32d) General Assembly, payable on the certificate of the chairmen of the respective committees, approved by the presiding officers of the respective houses.

§ 2. [Emergency.] Whereas, the appropriation above recited is necessary for the transaction of the business of the state and this general assembly, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED MAY 4, 1831.

#### EYE AND EAR INFIRMARY.

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| <p>§ 1. Appropriated \$32,000 for ordinary expenses.</p> <p>§ 2. Appropriates \$6,912 as follows:</p> <p>¶ 1. \$1,000 per annum for repairs and improvements.</p> <p>¶ 2. \$1,000 per annum for furniture.</p> <p>¶ 3. \$800 for stone sidewalk.</p> <p>¶ 4. \$500 for iron fence.</p> | <p>¶ 5. \$200 for ice house.</p> <p>¶ 6. \$300 for ventilating apparatus.</p> <p>¶ 7. \$200 for laundry machinery.</p> <p>¶ 8. \$600 for smoke stack and painting buildings.</p> <p>¶ 9. \$312 for paving Adams street.</p> <p>§ 3. How drawn.</p> |
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AN ACT *making appropriations for the Illinois Charitable Eye and Ear Infirmary, at Chicago.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there is hereby appropriated to the Illinois Charitable Eye and Ear Infirmary, at Chicago, for ordinary expenses, the sum of fifteen thousand dollars (\$15,000), for one (1) year from July 1, 1831, and at the rate of seventeen thousand dollars (\$17,000) per annum from the first day of July, 1832, payable quarterly in advance, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.*

§ 2. That for the purpose of making needed repairs and improvements, the sum of one thousand dollars (\$1,000) per annum is hereby appropriated; for the purchase of additional furniture, the sum of one thousand dollars (\$1,000) per annum; for stone sidewalk, eight hundred dollars (\$800); for iron fence and stone coping, five hundred dollars (\$500); for ice house, two hundred dollars (\$200); for steam heating apparatus for ventilation, three hundred dollars (\$300); for machinery for laundry, two hundred dollars (\$200); for raising smoke stack, tuck-pointing same and painting buildings, six hundred dollars (\$600); for paving Adams street, three hundred and twelve dollars (\$312).

§ 3. The moneys herein appropriated shall be drawn from the state treasury in the manner and subject to the limitations and conditions now provided by law.

APPROVED May 25, 1831.

SOUTHERN HOSPITAL FOR INSANE.

- § 1. Appropriate \$12,000 for barracks and furniture for same.
- § 2. How drawn.

- § 3. Emergency.  
In force May 25, 1881.

AN ACT to make an appropriation to meet the emergency created by the burning of the north wing of the Southern Hospital for the Insane, at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated the sum of twelve thousand dollars (\$12,000,) payable out of any moneys in the state treasury not otherwise appropriated, to enable the trustees of the Southern Hospital for the Insane, at Anna, to build temporary wooden barracks and purchase the necessary furniture for the same, for the accommodation, during the summer, of the male patients who were burned out in consequence of the destruction of the north wing of the said hospital by fire, on the night of the eighteenth of April.

§ 2. The moneys herein appropriated shall be due and payable to the trustees or their order, only on the terms and in the manner now provided by law.

§ 3. Whereas, the crowding of the male patients into the female wing of the hospital, occasioned by said fire, is the cause of much inconvenience and injury to patients of both sexes, therefore an emergency exists; therefore, this act shall be in force from and after its passage.

APPROVED May 25, 1881.

- § 1. Appropriates \$94,000.
- ¶ 1. \$90,000 for rebuilding north wing.
- ¶ 2. \$3,000 for furniture.
- ¶ 3. \$1,000 for repairs in centre building.

- § 2. How drawn.
- § 3. Emergency.  
In force May 25, 1881.

AN ACT to make an appropriation for rebuilding and refurnishing the north wing of the Southern Hospital for the Insane, at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and are hereby appropriated to the Southern Hospital for the Insane, at Anna, the following amounts, for the purposes herein specified, and for no other:

For rebuilding the north wing of the said hospital, including cost of the improvements recommended by the commission appointed by the governor to inquire into the amount of the damage done by fire, and the cost of repairing the same, the sum of ninety thousand dollars (\$90,000).

For new furniture to replace the furniture destroyed, the sum of three thousand dollars (\$3,000.)

For repairing damages done by water in the center building, one thousand dollars (\$1,000.)

§ 2. The moneys herein appropriated shall be due and payable to the trustees or their order, only on the terms and in the manner now provided by law.

§ 3. Whereas, it is necessary to complete the repairs to the burned wing of the said southern hospital for the insane before the winter sets in, in order to avoid the suffering which would otherwise result, therefore an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 25, 1881.

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ATHERTON CLARK.

§ 1. Appropriates \$600 for damages to lands—How drawn—Bar to further claims.  
In force July 1, 1881.

AN ACT to provide for the payment to Atherton Clark of certain damages to lands and other property, sustained by the construction and maintenance of the dam on the Illinois river, near Henry, in Marshall county, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of six hundred dollars (\$600), which was appropriated by an act of the general assembly of the state of Illinois entitled "An act to provide for the payment of damages to lands and other property, sustained by the owners thereof, by the construction of the dam on the Little Wabash river, at New Haven, in Gallatin county, Illinois, and by the construction of the dam on the Illinois river, near Henry, in Marshall county, Illinois," approved May 31, A. D. 1879, in force July 1, A. D. 1879, for the payment to Atherton Clark of the damages to the southwest quarter of section number thirty-one (31), in township number fifteen (15) north, range number ten (10) east, of the fourth (4th) principal meridian, in the county of Bureau, and the state of Illinois, occasioned and sustained by the construction and maintenance of the lock and dam on the Illinois river, near Henry, in Marshall county, Illinois, by the authority of the state of Illinois, according to the recommendation contained in the report of the joint select committee of the two houses of the Thirtieth General Assembly, shall be paid to the said Atherton Clark, or his heirs or legal representatives, in the manner specified and provided by the above mentioned act of the general assembly of the state of Illinois, upon his, or their, filing with the auditor of public accounts of the state of Illinois his, or their, own release, and none other, in the form specified by the aforesaid act of the general assembly of the

state of Illinois; and upon such payment and release being made, executed and filed, as aforesaid, the same is hereby declared to be, and shall be, a complete and perpetual bar to any further claims for damages to said lands above described, occasioned or sustained, or to be hereafter occasioned or sustained, by the construction, maintenance or repair of said dam, by any person or persons whomsoever.

APPROVED May 25, 1881.

#### GEOLOGICAL REPORTS.

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| <p>§ 1. Publication of 7th volume of geological survey—Republication of three volume.</p> <p>§ 2. Distribution of volumes provided by this act.</p> | <p>§ 3. Appropriates \$5,000 for preparing vol. 7, and \$5,000 for publication of the volume.</p> <p>§ 4. Warrants on fund—how drawn. In force July 1, 1881.</p> |
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AN ACT to provide for the preparation and publication of the Illinois Geological Reports.

WHEREAS, the mineral resources of this state are of great value and importance, and their full development is deemed a matter of paramount interest to its future prosperity, and to this end it is necessary to collect and prepare for publication in some permanent form all such facts and information as can be obtained, from year to year, by the personal examination of important localities by a competent geologist, and from experiments made by private parties with a drill, and by shafts for coal and other mineral products; and

WHEREAS, there is a great and increasing demand for the volumes of the geological reports already published; and,

WHEREAS, the economical portion of said reports, relating especially to the mining and agricultural interests of this state, can be reproduced in three (3) royal octavo volumes of about five hundred and fifty (550) pages each, at a cost not exceeding seventy-five (75) cents per copy for each volume; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the curator of [the] state historical library and natural history museum, who is also required to perform such duties as may by law be required of the state geologist, shall, during the ensuing two years, collect and prepare for publication in a style conformable with the volumes of the geological survey already published, a volume with such maps, sections and plates as he may deem necessary to properly illustrate the same; this volume to be entitled Vol. 7 of the geological survey of Illinois. Five thousand (5,000) copies of said seventh volume, together with three thousand (3,000) copies of each of the three (3) volumes*

comprising the economical portion of the six (6) volumes already published, to be printed by state authority under the law authorizing state printing and binding.

§ 2. These volumes shall be distributed as follows: Of volume 7, five (5) copies to each member and one (1) copy to each officer of the Thirty-second General Assembly, one (1) copy to each state officer, one (1) copy to each college, high school and public library in the state, one (1) copy to each state library in the United States, three hundred (300) copies to the director of the work, for foreign distribution and exchange, and the remainder to be distributed by the secretary of state. The three (3) other volumes of reprint shall be distributed as follows: Five (5) copies to each member, and one (1) copy to each officer of the Thirty-second General Assembly, and the remainder to be distributed by the secretary of state.

§ 3. For carrying out the provisions of this act, the sum of five thousand dollars (\$5,000) per annum is hereby appropriated, or so much thereof as may be required, to prepare the said volumes for publication, and to pay the salaries of such assistants as may be required, for traveling and incidental expenses, and for drawing, engraving and printing such sections and plates as may be required for said seventh volume; and the further sum of five thousand dollars (\$5,000) is hereby appropriated to defray the cost of printing and binding the said volumes, the paper to be furnished by the secretary of state under the contract for printing paper and stationery.

§ 4. The auditor of public accounts is hereby authorized and required to draw his warrant on the state treasurer for the sums above named, on vouchers duly certified by the director of the work, and approved by the governor, and the state treasurer shall pay said amounts out of the funds hereby appropriated.

APPROVED May 26, 1881.

#### ILLINOIS AND MICHIGAN CANAL.

§ 1. Appropriates \$60,000 and earnings.  
 § 2. How drawn.

§ 3. Canal commissioners to file statements with auditor.  
 In force July 1, 1881.

AN ACT *making appropriations for the necessary repairs and running expenses of the Illinois and Michigan Canal until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That, for the purpose of making necessary repairs and providing means to put and keep the Illinois and Michigan Canal in navigable condition, until after the adjournment of the next general assembly, there is hereby appropriated*

from the state treasury, for the first year, the sum of thirty thousand dollars (\$30,000), and for the second year the sum of thirty thousand dollars (\$30,000), or so much of each as may be absolutely necessary for that purpose: *Provided*, that no portion of the money hereby appropriated shall be used for the purpose above specified until all the surplus earnings of the canal have been fully exhausted in making needed repairs and defraying necessary expenses of operating the said canal.

§ 2. The appropriations made by this act shall only be paid upon detail[ed] statements made by the canal commissioners, filed with the auditor, bearing the order of the canal commissioners and the approval of the governor.

§ 3. Said board of canal commissioners shall keep an accurate and detailed account of all moneys received by them from every source, together with their disbursements and expenditures of every kind and nature, and at the end of each quarter transmit to the auditor of public accounts a full and complete statement, showing in detail the amount of money received during said preceding quarter, from every source, and how and to whom the same has been disbursed.

APPROVED May 27, 1881.

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WILLIAM R. ARCHER.

§ 1. Appropriates \$1,000.

In force July 1, 1881.

§ 2. How drawn.

AN ACT to compensate *William R. Archer* for professional services on behalf of the state, before the commission of claims.

WHEREAS, it appears, from the report of the attorney-general, that claims amounting in the aggregate to the sum of \$2,739,783.62, were filed against the state before the commission of claims at the August term, 1878; and

WHEREAS, at the instance and request of the attorney-general, William R. Archer assisted in the argument, on behalf of the state, against the allowance of said claims, of which only the sum of \$980.98 was allowed; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there be, and is hereby, appropriated to the said William R. Archer the sum of \$1,000.00, for professional services in assisting the attorney-general in defending the state against claims recited in the preamble to this act; said amount to be paid on the warrant of the auditor, out of any money in the treasury not otherwise appropriated.

§ 2. The auditor is hereby authorized and required to draw his warrant on the treasury, payable to the said William R. Archer, for the said sum of one thousand dollars (\$1,000.00).

APPROVED May 27, 1881.

## FOR THE STATE REFORM SCHOOL, AT PONTIAC.

§ 1. Appropriates \$71,000, as follows:

- ¶ 1. \$28,000 per annum for ordinary expenses.
- ¶ 2. \$200 for boys' library.
- ¶ 3. \$500 for washing machines.
- ¶ 4. \$800 for painting roofs of buildings.
- ¶ 5. \$200 for improvement of ground.

- ¶ 6. \$600 for improvement of buildings.
- ¶ 7. For lining wash troughs, \$200.
- ¶ 8. \$590 for painting buildings.
- ¶ 9. \$1,000 per annum for improvements.
- ¶ 10. \$16,000 for improvements of ventilation, privy vaults, etc.

§ 2. How paid.

In force July 1, 1881.

AN ACT making appropriations for the State Reform School, at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following sums be, and are hereby, appropriated to the State Reform School, at Pontiac, for the purposes herein specified:

For ordinary expenses, twenty-eight thousand dollars (\$28,000) per annum, payable quarterly in advance, from the first day of July, 1881, to the expiration of the first fiscal quarter after the adjournment of the next general assembly.

For replenishing boys' library and furnishing papers, two hundred dollars (\$200) per annum.

For two (2) washing machines, two hundred and fifty dollars (\$250) each.

For painting tin roof on main and engine buildings, cornices, windows and doors in main, engine and family buildings, eight hundred dollars (\$800).

For improvement of grounds, two hundred dollars (\$200).

For renewing stairs in work shops, wings of main building, and new floor in chapel, six hundred dollars (\$600).

For lining wash troughs in dormitories and water tank, two hundred dollars (\$200).

For painting brick work, main and family buildings, five hundred and ninety dollars (\$590).

For repairs and improvements, one thousand dollars (\$1,000) per annum, from the first day of July, 1882, to the expiration of the first fiscal quarter after the adjournment of the next general assembly.

To provide privy vaults for dormitories, and to remedy the ventilation of the buildings, the sum of sixteen thousand dollars, or so much thereof as may be necessary.

§ 2. The moneys herein appropriated shall be paid to the institution in the manner and upon the conditions now provided by law.

APPROVED May 27, 1881.

## PENITENTIARY AT JOLIET.

- § 1. Appropriates \$32,000, as follows:
- ¶ 1. \$20,000 for roof, floor, painting and other repairs.
  - ¶ 2. \$5,000 for new barn.
  - ¶ 3. \$7,000 for gas works.

- § 2. How drawn.  
In force July 1, 1881.

AN ACT *making appropriations for making repairs and improvements in the Illinois State Penitentiary, at Joliet; repairing roofs, relaying floors, kalsomining and painting buildings, for rebuilding the stone portico, for building a new barn, purchasing the gas works and introducing gas into the cells.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following sums be, and the same are hereby, appropriated for the Illinois State Penitentiary, at Joliet, for the purposes hereinafter named, and for no other:*

For renewing roofs, for relaying floors, for kalsomining and painting, for rebuilding the portico in front of the warden's house, and other smaller necessary repairs, the sum of twenty thousand dollars (\$20,000.)

For building a new barn of stone, with cellar underneath, the sum of five thousand dollars (\$5,000.)

For purchasing the gas works, now located and in use in the prison, and introducing gas into the cells, the sum of seven thousand dollars (\$7,000).

§ 2. The auditor of public accounts is hereby authorized to draw his warrant upon the state treasurer for the moneys herein appropriated, upon the order of the board of commissioners of said penitentiary, signed by the president and attested by the secretary, with the seal of said institution thereto affixed.

APPROVED May 27, 1881.

## HORTICULTURAL SOCIETY.

- § 1. Appropriates \$2,000 per annum. In force July 1, 1881.

AN ACT *making appropriation in aid of the Illinois Horticultural Society.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be appropriated for the use of the Illinois State Horticultural Society the sum of two thousand dollars (\$2,000) per annum, for the years 1881 and 1882, to be expended by said society for the purpose, and in the manner, specified in "An act to reorganize the Illinois Horticultural Society," approved March 24, 1874.*

APPROVED May 27, 1881.

## INSTITUTION FOR THE DEAF AND DUMB.

§ 1. Appropriates \$177,000, as follows:

- ¶ 1. \$85,000 per annum for ordinary expenses.
- ¶ 2. \$3,000 per annum for repairs and improvements.

- ¶ 3. \$500 per annum for pupils' library.  
In force July 1, 1881.

AN ACT for the support of the Illinois Institution for the Education of the Deaf and Dumb, and for general repairs thereon, and for the pupils' library.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly* That, for the purpose of defraying the ordinary expenses of the Illinois Institution for the Education of the Deaf and Dumb, the sum of eighty-five thousand dollars (\$85,000) per annum is hereby appropriated out of the state treasury, payable quarterly in advance, from the first day of July, 1881, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

And that there be and are hereby appropriated the further sums of three thousand dollars (\$3,000) per annum for repairs and improvements;

And five hundred dollars (\$500) per annum for the pupils' library, from the first day of July, 1881, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

APPROVED May 27, 1881.

## SOLDIERS' ORPHANS' HOME.

§ 1. Appropriates \$97,800, as follows:

- ¶ 1. \$38,500 for the year 1881, \$46,500 for the year 1882, for ordinary expenses.
- ¶ 2. \$3,000 for improvements and repairs.

- ¶ 3. \$500 for library.
- ¶ 4. \$5,000 for hospital.
- ¶ 5. \$4,300 for boiler-house, etc.

In force July 1, 1881.

AN ACT making appropriations for the ordinary and other expenses of the Soldiers' Orphans' Home, at Normal, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there is hereby appropriated to the Soldiers' Orphans' Home, at Normal, for ordinary and incidental expenses, for the year commencing July 1, 1881, in addition to the unexpended balance, the sum of thirty-eight thousand five hundred dollars (\$38,500); and the sum of forty-six thousand five hundred dollars (\$46,500) per annum, thereafter, until the expiration

of the first fiscal quarter after the adjournment of the next regular session of the general assembly; the sums herein appropriated to be paid quarterly in advance.

And there is further appropriated to said institution, for the following purposes, viz:

For necessary improvements and repairs, three thousand dollars (\$3,000).

For library (new books), five hundred dollars (\$500).

For the erection and furnishing a suitable hospital building, five thousand dollars (\$5,000).

For new boiler-house and a new steam boiler, with necessary heating apparatus, four thousand three hundred dollars (\$4,300).

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant upon the state treasurer for the amounts herein appropriated, upon the order of the board of trustees, signed by the president and attested by the secretary, with the seal of the institution, subject to the provisions of sections eighteen (18), nineteen (19) and twenty (20) of "An act to regulate state institutions, etc.," approved April 15, 1875.

APPROVED May 27, 1881.

INSTITUTION FOR THE BLIND.

§ 1. Appropriates \$47,500 as follows:

- ¶ 1. \$33,000 for completion of east wing.
- ¶ 2. \$2,500 for apparatus, musical instruments and furniture.
- ¶ 3. \$12,000 for barn, coal house and shops.

§ 2. Trustees may make contracts for building.

§ 3. How drawn.

In force July 1, 1881.

AN ACT *making appropriations for the Illinois Institution for the Education of the Blind.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following amounts be, and are hereby, appropriated to the Illinois Institution for the Education of the Blind:*

For the construction and completion of the east wing of the main building; the sum of thirty-three thousand dollars (\$33,000).

For school apparatus, musical instruments and furniture, the sum of twenty-five hundred dollars (\$2,500).

For the construction of a barn, coal house and shops, the sum of twelve thousand dollars (\$12,000).

§ 2. The trustees are limited in their contracts for building by the amount herein appropriated for such building, and no portion of any sum herein appropriated shall be used for any other purpose than that for which the appropriation is made.

§ 3. All moneys hereby appropriated shall be due and payable to the board of trustees upon their order, signed by the president and attested by the secretary of the board, subject to the limitations and restrictions prescribed by law.

APPROVED May 27, 1881.

## NEXT GENERAL ASSEMBLY AND SALARIES OF STATE OFFICERS.

§ 1. Appropriates \$900,000. In force July 1, 1881.

AN ACT *making an appropriation for the payment of the officers and members of the next general assembly, and for the salaries of the officers of the state government.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be, and is hereby, appropriated the sum of nine hundred thousand (\$900,000) dollars, or such sum as may be necessary, to pay the officers and members of the next general assembly, and the salaries of the officers of the state government, at such rate of compensation as is now or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly.*

APPROVED May 27, 1881.

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MONUMENT TO SHADRACH BOND.

§ 1. Appropriates \$1,500 for the erection of a monument at Chester, Illinois.

§ 2. Appointment of commissioners.

§ 3. How appropriation drawn.

AN ACT *to make an appropriation to erect a monument at Chester, Illinois, over the grave of Shadrach Bond, the first governor of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of fifteen hundred dollars be, and the same is hereby, appropriated, for the purpose of erecting a monument at Chester, Illinois, over the grave of Shadrach Bond, the first governor of the state, and for the purpose of erecting a suitable enclosure therefor.*

§ 2. The governor shall appoint two commissioners, who shall serve without compensation, under whose direction the work provided for in section one of this act shall be performed.

§ 3. The auditor of public accounts shall draw his warrant for all, or any part, of the sum hereby appropriated, upon the certificate of the said commissioners, approved by the governor.

APPROVED May 27, 1881.

## ILLINOIS CENTRAL RAILROAD FUND—STATE DEBT.

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|---|--|
| § 1. Transfers \$134,708.71 from Illinois Central Railroad fund to revenue fund, and directs all payments hereafter made by said railroad to be credited to revenue fund. | § 2. Appropriates \$25,000 for payment of state debt.<br>§ 3. Emergency. |
|---|--|

AN ACT to make the tax on gross earnings of the Illinois Central Railroad available for payment of the ordinary expenses of the State government, and to make an appropriation for paying the balance of the state debt from the general revenue fund.

WHEREAS, the constitution of this state provides that all moneys derived from the Illinois Central Railroad Company, after the payment of the state debt, shall be appropriated and set apart for the payment of the ordinary expenses of the state government, and for no other purpose whatever; and,

WHEREAS, the bonded debt of the state has been called in for payment and has been paid, except the principal and accrued interest on twenty-three thousand six hundred dollars (\$23,600) of bonds, which have ceased to draw interest, but which have not been presented for payment; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of one hundred and thirty-four thousand seven hundred and eight dollars and seventy-one cents (\$134,708.71,) being the balance of the Illinois Central Railroad fund now in the treasury, be transferred on the warrant of the auditor of public accounts to the general revenue fund, and hereafter all payments to the state of tax on gross earnings of the Illinois Central Railroad shall be credited to the general revenue fund.

§ 2. The sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, is hereby appropriated from the general revenue fund, for the payment of the principal of and interest on the outstanding state debt, and the auditor shall issue his warrant therefor upon the proper evidence of the payment of the bonds and interest, approved by the governor.

§ 3. Whereas, the Illinois Central Railroad fund, now in the treasury, is needed in the general revenue fund to pay appropriations made by this general assembly, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 27, 1881.

## INSTITUTION FOR THE DEAF AND DUMB.

§ 1. Appropriates \$15,000 for improve-  
ments.

§ 2. How drawn.  
In force July 1, 1881.

AN ACT making appropriations for the Illinois Institution for the Education of the Deaf and Dumb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and are hereby appropriated to the Illinois Institution for Education of the Deaf and Dumb, the sums of three thousand dollars (\$3,000) for the erection of a barn; three thousand dollars (\$3,000) for the erection of a bakery; one thousand three hundred dollars (\$1,300) for the erection of veranda fire escapes; five thousand dollars (\$5,000,) for the erection of a store-house, and three thousand dollars (\$3,000) for the erection of a filter and filter-house.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant on the treasurer for the said sums, upon orders of the board of trustees of the Illinois Institution for the Education of the Deaf and Dumb, signed by the president and attested by the secretary of said board, with the seal of the institution, accompanied by such vouchers and certificates as are required by law for the drawing of funds from the treasury by said institution.

APPROVED May 27, 1881.

## INSTITUTION FOR THE BLIND, AT JACKSONVILLE.

§ 1. Appropriates \$52,215.

¶ 1. \$47,000 for expenses.

¶ 2. \$1,500 for improvements.

¶ 3. \$775 for sewer.

¶ 4. \$1,440 for engine and machinery.

§ 2. How drawn.

In force July 1, 1881.

AN ACT making appropriations for the expenses of the Illinois Institution for the Education of the Blind, at Jacksonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be, and are hereby, appropriated to the Illinois Institution for the Education of the Blind, at Jacksonville:

For ordinary expenses, payable quarterly in advance, the sum of twenty-two thousand dollars (\$22,000) for one year, from the first of July, 1881, and at the rate of twenty-five thousand dollars (\$25,000) per annum thereafter, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

For repairs and improvements, fifteen hundred dollars (\$1,500) per annum.

For a sewer, seven hundred and seventy-five dollars (\$775).

For an engine and laundry machinery, fourteen hundred and forty dollars (\$1,440).

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in manner now provided by law.

APPROVED May 27, 1881.

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ILLINOIS STATE PENITENTIARY, AT JOLIET.

§ 1. Authorizes purchase of land.  
 § 2. Appropriates \$10,500 therefor.

§ 3. How drawn.  
 In force July 1, 1881.

AN ACT to authorize the commissioners of the Illinois State Penitentiary, at Joliet, to purchase land for use of the penitentiary, and to make appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the commissioners of the Illinois State Penitentiary, at Joliet, are authorized to purchase, for the use of said penitentiary, the tracts of land known as lots two (2) and three (3), assessor's sub-division of section No. three (3), in township thirty-five (35) north, range ten (10) east, of the third principal meridian, in the county of Will, containing eighty-three 91-100 acres, more or less: *Provided*, a good and valid title can be made for said land to the state by the present owners thereof.

§ 2. The sum of ten thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated, payable from the levy of 1881, for the purchase of the real estate described in this act, and for no other purpose.

§ 3. The commissioners of the Illinois State Penitentiary shall present to the governor the abstracts of title and all other papers connected with the purchase of said real estate, and upon his certifying his approval of said transaction, said penitentiary commissioners are authorized to make requisition upon the auditor, who shall draw his warrant upon the treasurer of state for the amount necessary to pay for said real estate, not to exceed the amount appropriated by this act.

APPROVED May 27, 1881.

## SCHOOL FOR DEAF AND DUMB CHILDREN AT CHICAGO.

§ 1. Appropriates \$5,000 for expenses.

In force July 1, 1881.

§ 2. How drawn.

AN ACT to appropriate money for the support of a school for Deaf and Dumb Children in Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be, and is hereby, appropriated, out of any money in the state treasury not otherwise appropriated, the sum of five thousand dollars (\$5,000) as a donation for the benefit of, and to be used in the support and maintenance of, the school for the education of deaf and dumb children, located in Chicago, and under the management and control of the board of education of the city of Chicago, said money to be used in the education of deaf and dumb children in said school; and said school shall, so far as its accommodations will permit, receive deaf and dumb children of school age from any portion of the state.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant on the state treasurer for the sum of money hereby appropriated, in favor of the treasurer of the city of Chicago, upon the order of the board of education of the city of Chicago, signed by the president and attested by the secretary of said board, and filed in the office of the auditor, and said money shall only be drawn from the treasury of said city upon orders of said board of education for the expenses incurred in the education of deaf and dumb children in said school.

APPROVED May 27, 1881.

## STATE LABORATORY OF NATURAL HISTORY, AT NORMAL.

§ 1. Appropriates \$9,100.

§ 3. Continuance of act.

§ 2. How drawn.

In force July 1, 1881.

AN ACT making an appropriation for the ordinary expenses of the State Laboratory of Natural History, at Normal, and for the improvement of the library thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be, and hereby is, appropriated to the State Laboratory of Natural History, at Normal, for the expenses of field work on the zoölogy of the State, the sum of seven hundred dollars per annum; for the expenses of field work on the botany of the State, the sum of five hundred dollars per an-

num; for the supply of the State Historical Library and Natural History Museum, at Springfield, the sum of four hundred dollars per annum; for the supply of the state educational institutions, the sum of one hundred dollars per annum; for the supply of the public high schools, the sum of one hundred dollars per annum; for the investigation of the food of birds, the sum of one hundred dollars per annum; for the investigation of the food of fishes, the sum of fifty dollars per annum; for the investigation of the parasitic plants and animals of the state, the sum of two hundred dollars per annum; for the improvement of the library, the sum of eight hundred dollars per annum; for the pay of an assistant, the sum of eight hundred dollars per annum; for the publication of bulletins, the sum of four hundred dollars per annum; for office and incidental expenses of the laboratory, the sum of three hundred and fifty dollars per annum.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant upon the treasurer for the aforesaid moneys, upon the order of the State Board of Education, signed by the president and attested by the secretary of said board: *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution until satisfactory vouchers in detail, approved by the governor, have been filed with the auditor for the expenditure of the last quarterly installment of appropriations herein or heretofore made.

§ 3. This act shall be and continue in force from the first day of July, A. D. 1881, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

APPROVED May 27, 1881.

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CLAIMS—AWARD OF COMMISSIONERS.

§ 1. Appropriates \$4,691.17—How drawn. In force July 1, 1881.

AN ACT making an appropriation to pay the claim of Gulian Cornelis Crommelin, Julius Hendrik Tutein Nolthenius and Abraham de Haan Antson, allowed by the commission of claims.

WHEREAS, the commission of claims at its session in August, 1880, did examine claim No. 101, of Gulian Cornelis Crommelin, Julius Hendrik Tutein Nolthenius and Abraham de Haan Antson, for interest and principal of the new internal improvement interest stock bonds numbered 2612, 2613 and 2614, issued under the act approved February 28, 1847, and did allow to said claimants the sum of four thousand six hundred and ninety-one dollars and seventeen cents, which award was made on the 12th day of August, 1880; and

WHEREAS, the auditor has reported said award in his report to the governor of Illinois, dated November 1, 1880, on page VIII;

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of four thousand six hundred and ninety-one dollars and seventeen cents (\$4,691.17), and interest thereon from the 12th day of August, 1880, at the rate of six (6) per cent. per annum, be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to be paid to said claimants, or their solicitors of record, upon the warrant of the auditor approved by the governor.

APPROVED May 28, 1881.

#### ILLINOIS INDUSTRIAL UNIVERSITY.

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| <p>§ 1. Appropriates \$43,100.</p> <p>¶ 1. \$5,000 for taxes.</p> <p>¶ 2. \$5,000 for improvements.</p> <p>¶ 3. \$1,600 for laboratories.</p> <p>¶ 4. \$3,000 for mechanical shops.</p> <p>¶ 5. \$6,600 for library and natural history.</p> <p>¶ 6. \$11,400 for instruction.</p> | <p>¶ 7. \$2,000 for civil engineering.</p> <p>¶ 8. \$1,000 for furniture.</p> <p>¶ 9. \$5,000 for boiler house and fixtures.</p> <p>¶ 10. \$2,500 for steam pipes and ventilation.</p> <p>¶ 11. \$1,000 for cottage and dairy.</p> <p>§ 2. How drawn.<br/>In force July 1, 1881.</p> |
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AN ACT making appropriations for the Illinois Industrial University.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be, and hereby is, appropriated to the Industrial University, at Urbana, for the payment of taxes accruing in the years 1880 and 1881, on lands owned and held by the state for the use of said institution, in the county of Gage, in the state of Nebraska, and in the counties of Pope, Kandiyohi and Renville, in the state of Minnesota, the sum of two thousand five hundred dollars (\$2,500) per annum.

For current repairs and improvements on buildings and grounds for the said university, during the years 1881 and 1882, the sum of two thousand five hundred dollars (\$2,500) per annum.

For current expenses of the chemical, physical and botanical laboratories of the said university, for the years 1881 and 1882, the sum of eight hundred dollars (\$800) per annum.

For current expenses of educational work and the practical instruction of students in the mechanical shops of said university, for the years 1881 and 1882, the sum of one thousand five hundred dollars (\$1,500) per annum.

For the university library and museums, for the years 1881 and 1882, to-wit: For the purchase of books and publications; and for binding the same, one thousand five hundred dollars (\$1,500) per annum; for additional library cases, eight hundred dollars (\$800); for collecting, preparing and mounting specimens for the cabinets of geology, mineralogy and natural history, one thousand dollars (\$1,000).

For current expenses of instruction in the several departments of the university, for the years 1881 and 1882, five thousand seven hundred dollars (\$5,700) per annum.

For additional instruments for instruction in civil engineering, the sum of one thousand dollars (\$1,000).

For additional furniture for the public rooms of the main building, the sum of one thousand dollars (\$1,000).

For the erection of a new boiler-house to receive the boilers of the main and the chemical buildings, for the necessary chimney, smoke and air flues connected therewith, and for the removal of the boilers thereto, from the said buildings, as per plans and estimates, the sum of five thousand dollars (\$5,000.)

For the purchase of a boiler and steam pipes, for additional steam coils and service pipes, and for continuing the improvements in the ventilation of the main building and the general repair of the heating apparatus, the sum of twenty-five hundred dollars (\$2,500).

For the erection of a farm cottage and a dairy house, the sum of one thousand dollars (\$1,000).

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant on the treasurer for the sums herein appropriated, payable out of any money in the treasury not otherwise appropriated, upon the order of the president of the board of trustees of the said university, attested by its secretary, and with the corporate seal of the university: *Provided*, that no part of the said sums shall be due and payable to said institution until satisfactory vouchers in detail, approved by the governor, shall be filed with the auditor for all previous expenditures incurred by the institution on account of appropriations heretofore made: *And, provided, further*, that vouchers shall be taken in duplicate, and original or duplicate vouchers shall be forwarded to the auditor of public accounts for the expenditure of the sums appropriated in this act.

APPROVED. May 28, 1881.

## ASYLUM FOR FEEBLE-MINDED CHILDREN.

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| § 1. Appropriates \$116,275.                                    | ¶ 4. \$4,000 for repairs.                |
| ¶ 1. \$102,000 for expenses and \$3,000 for finishing basement. | ¶ 5. \$1,000 for improvement of grounds. |
| ¶ 2. \$3,000 for laundry.                                       | ¶ 6. \$2,500 for fire escapes.           |
| ¶ 3. \$1,775 for fire alarm.                                    | § 2. How drawn.                          |
|   | In force, July 1, 1881.                  |

AN ACT *making appropriations for the Illinois Asylum for Feeble-Minded Children.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the purpose of defraying the ordinary expenses of the Illinois Asylum for Feeble-Minded Children, the sum of forty-six thousand dollars (\$46,000) for the first year, and fifty-six thousand dollars (\$56,000) for the second year, be, and the same is hereby, appropriated out of the state treasury, payable quarterly in advance, from the first day of July, 1881, until the expiration of the first fiscal quarter after the adjournment of the next general assembly; and that there be, and are hereby, appropriated the further sums of three thousand dollars (\$3,000) for finishing, steam heating, plumbing and furnishing the basement under the main building and wings.

Three thousand dollars (\$3,000) for the construction of a laundry building, to contain a wash house, drying room and ironing room.

Seventeen hundred and seventy-five dollars (\$1,775) for the introduction and construction of the mercurial fire alarm to the main building, wings, rear buildings and out-buildings.

Two thousand dollars (\$2,000) per annum for repairs.

For improvement of grounds, five hundred dollars (\$500) per annum.

For construction of veranda fire escapes, two thousand five hundred dollars (\$2,500).

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant on the state treasurer for said sums, upon the orders of the board of trustees of the Illinois Asylum for Feeble-Minded Children, signed by the president and attested by the secretary of said board, with the seal of the asylum.

APPROVED May 28, 1881.

## STATE BOARD OF AGRICULTURE.

## § 1. Appropriates—

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| <ul style="list-style-type: none"> <li>¶ 1. \$3,000 per annum for state fair premiums, and \$700 per annum to each county agricultural board.</li> <li>¶ 2. \$2,400 per annum for salary of secretary.</li> <li>¶ 3. \$1,500 per annum for clerk hire.</li> <li>¶ 4. \$600 per annum for porter.</li> <li>¶ 5. \$600 per annum for curator.</li> </ul> | <ul style="list-style-type: none"> <li>¶ 6. \$500 per annum for museum.</li> <li>¶ 7. \$1,000 per annum for crop statistics.</li> <li>¶ 8. \$500 per annum for books, etc.</li> <li>¶ 9. \$1,000 per annum for postage, expressage, etc.</li> </ul> |
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§ 2. How drawn.

§ 3. Duties of treasurer of board.

In force July 1, 1881.

AN ACT making an appropriation for the State Board of Agriculture, and the county and other subordinate boards of agriculture.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated to the state board of agriculture the following sums, to-wit:

For the payment of premiums at the annual state fair, the sum of three thousand dollars per annum, for the years 1881 and 1882; and for the use of county, district or other subordinate agricultural boards, the sum of one hundred dollars per annum to each county, to be paid to the treasurer of the county agricultural board for the years 1881 and 1882.

For the salary of the secretary, the sum of two thousand four hundred dollars per annum, for the years 1881 and 1882.

For clerk hire, the sum of fifteen hundred dollars per annum, for the years 1881 and 1882.

For porter, the sum of six hundred dollars per annum, for the years 1881 and 1882.

For curator, the sum of six hundred dollars per annum, for the years 1881 and 1882.

For the museum, the sum of five hundred dollars per annum, for the years 1881 and 1882.

For the expense of collecting and publishing crop statistics, the sum of one thousand dollars per annum, for the years 1881 and 1882.

For the purchase of books, maps and charts, the sum of five hundred dollars per annum, for the years 1881 and 1882.

For repairs, postage, expressage and other incidental office expenses, the sum of one thousand dollars per annum, for the years 1881 and 1882.

§ 2. That on the order of the president, countersigned by the secretary of the state board of agriculture, and approved by the governor, the state auditor shall draw his warrant upon the treasurer, in favor of the treasurer of the state board of agriculture, for the sums herein appropriated: *Provided*, that each warrant shall show the agricultural board for whose benefit the same is drawn, and that no warrant shall be drawn in favor of any agricultural board unless the order aforesaid be accompanied by a certificate of the state board of agriculture, showing that such subordinate, district or county agricultural board have held an agricultural fair during the preceding year, in compliance with the rules and regulations as provided by law: *Provided, further*, that no part of the moneys herein provided for shall be drawn from the public treasury prior to the first day of July, A. D. 1881.

§ 3. It shall be the duty of the treasurer of the state board of agriculture to pay over to the proper officer of the subordinate, district or county agricultural board the sum received for its use and benefit, as aforesaid, and to make a biennial report to the governor of all such appropriations received and disbursed by him.

APPROVED May 28, 1881.

NORMAL UNIVERSITY, AT NORMAL.

§ 1. Appropriates \$17,500 per annum for  
ordinary expenses.

§ 2. How drawn.

§ 3. Defines the limit of the act.

In force July 1, 1881.

AN ACT making an appropriation for the ordinary expenses of the State Normal University at Normal, and for additions to the library.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated to the State Normal University, seventeen thousand five hundred dollars (\$17,500) per annum, payable quarterly, in advance, for the payment of salaries, for the purchase of fuel, for additions to library and museum, for school apparatus, and for incidental expenses: *Provided,* that the expenses of the model school shall be paid from the receipts for tuition of the pupils of said school.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant upon the treasurer for the aforesaid sums of money, upon the order of the state board of education, signed by the president and attested by the secretary of said board, with the corporate seal of the institution: *Provided,* that satisfactory vouchers in detail, approved by the governor, shall be filed quarterly with the auditor of public accounts for the expenditures, ordinary and extraordinary, of the preceding quarter, and that no part of the moneys herein appropriated shall be due and payable until such vouchers shall have been filed.

§ 3. This act shall be and continue in force from the first day of July, A. D. 1881, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

APPROVED May 28, 1881.

## PENITENTIARIES.

§ 1. Appropriates \$250,000—\$200,000 to the Southern, \$50,000 to the Illinois State at Joliet.

§ 2. How drawn—vouchers.

*AN ACT to provide for the ordinary expenses of the Penitentiaries of the state of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of two hundred and fifty thousand dollars (\$250,000), or so much thereof as may be necessary, be and the same is hereby appropriated as a penitentiary fund, to defray such portion of the current expenses of the penitentiaries of the state of Illinois, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly, as the earnings of convict labor in said penitentiaries may be insufficient to defray, which fund shall be paid out upon the warrant of the auditor of public accounts, in sums not exceeding ten thousand dollars at any one time. Said moneys shall be divided between said penitentiaries in the following manner: The sum of two hundred thousand dollars (\$200,000) to the Southern Penitentiary, at Chester, and the sum of fifty thousand dollars (\$50,000) to the Illinois State Penitentiary, at Joliet. And the auditor of public accounts is hereby authorized to draw his warrant upon the state treasurer for the money herein appropriated, to the order of the commissioners of the Illinois State Penitentiary, and the commissioners of the Southern Illinois Penitentiary, respectively, in sums not exceeding ten thousand dollars at any one time, on receiving the certificate of either of said boards of commissioners, approved by the governor, that such money is necessary for the purposes contemplated by this act.

§ 2. After either of said boards of commissioners shall have drawn any of the money herein appropriated, they shall not draw or receive any more thereof so long as there shall remain in their hands an amount unexpended exceeding the sum of one thousand dollars. Each of said boards of commissioners shall file with the auditor monthly statements, accompanied by proper vouchers, showing all receipts and disbursements of money during the preceding month on account of current expenses, from what sources received, and for what purpose expended, which statements shall be attested by the wardens of the respective penitentiaries, certified by the commissioners and approved by the governor; and no warrant for money herein appropriated shall be drawn by the auditor to the order of either board of commissioners, so long as the statements of said board shall show an unexpended balance in its hands of more than one thousand dollars.

APPROVED May 28, 1881.

## SOUTHERN HOSPITAL FOR INSANE.

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| § 1. Appropriates \$171,185, as follows:<br>¶ 1. \$156,000 for ordinary expenses.<br>¶ 2. \$4,000 per annum for repairs and improvements.<br>¶ 3. \$1,000 per annum for improvement of grounds.<br>¶ 4. \$2,635 for new engine. | ¶ 5. \$2,500 for refrigerator.<br>¶ 6. \$100 for basin and filter.<br>¶ 7. \$250 for fence.<br>¶ 8. \$1,200 for additional heating apparatus.<br>¶ 9. \$1,000 for storehouse. |
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- § 2. How paid.

AN ACT making appropriations for the Illinois Southern Hospital for the Insane, at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following amounts be and are hereby appropriated to the Southern Hospital for the Insane, at Anna, for the purposes herein named, and for no other:

For ordinary expenses for one year, from July 1, 1881, the sum of sixty-eight thousand dollars (\$68,000), and at the rate of eighty-eight thousand dollars (\$88,000) per annum thereafter until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

For repairs and improvements, four thousand dollars (\$1,000) per annum.

For improvement of grounds, one thousand dollars (\$1,000) per annum.

For a new engine, to replace the present one, which is of insufficient capacity, two thousand six hundred and thirty-five dollars (\$2,635).

For construction of refrigerating house, for storage of perishable supplies, two thousand five hundred dollars (\$2,500).

For settling basin and filter, one hundred dollars (\$100.)

For one-half mile of fence along the public highway, with posts, two hundred and fifty dollars (\$250).

For additional heating apparatus, twelve hundred dollars (\$1,200.)

For the erection of a detached building, for the receipt, preservation and issue of stores of all kinds, for general use of the hospital, one thousand dollars (\$1,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

APPROVED May 30, 1881.

## ORDINARY EXPENSES OF THE STATE GOVERNMENT.

- § 1. Appropriates \$2,703,209 as follows:
- ¶ 1. \$3,000 per annum governor's contingent fund.
- ¶ 2. \$3,500 per annum clerk hire for governor's office.
- ¶ 3. \$750 per annum incidental expenses governor's office.
- ¶ 4. \$700 per annum porter for governor's office.
- ¶ 5. \$2,000 per annum for care of mansion and grounds.
- ¶ 6. \$9,000 for refurnishing the executive mansion.
- ¶ 7. To the secretary of state: \$10,500 per annum for clerk hire; \$3,000 per annum for incidental expenses; \$1,400 per annum for porter and messengers; \$3,000 for indexing the state archives; \$10,000 for care of state house and grounds.
- ¶ 8. To the auditor: \$7,500 per annum for clerk hire; \$1,400 per annum for porters and messengers; \$1,500 per annum for incidental expenses; \$2,000 for indexing papers received from U. S. land office.
- ¶ 9. To the state treasurer: \$4,000 per annum for clerk hire; \$1,000 per annum for incidental expenses; \$3,200 per annum for watchmen; \$800 per annum for messenger and clerk.
- ¶ 10. To the superintendent of public instruction: \$2,400 per annum for clerk hire; \$800 per annum for porter and messenger; \$1,500 per annum for office expenses, periodicals and books.
- ¶ 11. To the attorney-general: \$1,800 per annum for clerk hire; \$600 per annum for porter and messenger; \$2,000 per annum for office expenses.
- ¶ 12. To the adjutant-general: \$2,000 per annum for clerk hire, ordinance sergeant and janitor; \$700 per annum for incidental expenses.
- ¶ 13. \$600 per annum to the custodian of field notes and surveys, for office expenses.
- ¶ 14. \$3,000 per annum to board of public charities, for secretary's salary; also, \$4,000 per annum for clerk hire.
- ¶ 15. \$50 to the lieutenant-governor for office expenses.
- ¶ 16. \$2,000 per annum for costs and expenses state suits.
- ¶ 17. \$25,000 per annum for conveying convicts to the penitentiary; also, \$3,000 for transfer of patients from one hospital for the insane to another.
- ¶ 18. \$20,000 for 1881, and \$15,000 for 1882, fugitives from justice.
- ¶ 19. \$3,000 per annum for conveying offenders to reform school.
- ¶ 20. \$20,000 for 1881 and \$15,000 for 1882, for paper and stationery.
- ¶ 21. To the supreme court as follows: For incidental expenses, northern grand division, \$3,000 per annum; central grand division, \$2,000 per annum; southern grand division, \$1,500 per annum. For librarians of grand divisions; northern, \$400 per annum;
- southern, \$300 per annum; central, \$750 per annum; for janitors, northern and southern grand divisions, \$300 per annum each; central, \$400 per annum; also, to the appellate courts as follows: For rent and other expenses, 1st district, \$45,000 per annum; 2nd district, \$2,000 per annum; 3rd district, \$1,500 per annum; 4th district, \$800 per annum; for janitors, 2nd and 3d districts, \$400 per annum; 4th district, \$300 per annum; for the purchase of books, \$10,000 as follows: 1st district, \$6,000; law library at the capital, \$4,000.
- ¶ 22. \$50 for bailiff of claims commission.
- ¶ 23. \$30,000 for public printing; \$15,000 per annum for public binding.
- ¶ 24. \$57,000 per annum for payment of interest on school fund.
- ¶ 25. A sum sufficient to refund taxes paid in error and over-payments on collectors' accounts.
- ¶ 26. \$6,000 for janitors and watchmen at the state house.
- ¶ 27. \$2,000 per annum for curator, and \$600 per annum for assistant-curator of historical library and natural history museum; also, for contingent expenses \$300 per annum; for new cases and furniture \$2,500.
- ¶ 28. To the railroad and warehouse commission as follows: \$4,000 per annum for secretary's salary, clerk hire and incidental expenses; \$10,000 per annum for suits and investigations; \$10,000 for publication of schedules of rates.
- ¶ 29. \$50,000 to pay the employes of the next general assembly.
- ¶ 30. \$3,000 for rewards for arrest of fugitives from justice.
- ¶ 31. \$1,200 for copying the laws and journals of the general assembly; \$500 for distributing same.
- ¶ 32. \$10,000 per annum for heating state house; \$4,000 per annum for lighting same.
- ¶ 33. \$10,000 per annum for expenses of state board of equalization.
- ¶ 34. \$250 for books for southern penitentiary.
- ¶ 35. \$250 for books for penitentiary at Joliet.
- ¶ 36. A sum necessary to purchase supreme court reports.
- ¶ 37. \$800 for purchase of portrait of Governor Cullom.
- ¶ 38. \$2,500 for repairs and improvements in heating department of state house.
- ¶ 39. To the state board of health as follows: \$2,500 per annum for salary of secretary; \$1,500 for office expenses per annum; \$1,500 per annum for assistant secretary and clerk hire; \$5,000 for contingent fund in case of epidemic.
- ¶ 40. To the state library: \$2,500 per annum for books and expenses; \$800 per annum for salary of assistant librarian.
- ¶ 41. \$1,000,000 per annum school fund, for distribution.

- ¶ 42. \$3,000 commissioners labor statistics, salaries and expenses.  
 ¶ 43. \$2,500 to fish commissioners.  
 ¶ 44. \$5,000 to pay expenses of committees Thirty-third General Assembly.

- ¶ 45. \$1,500 for publishing the records of the soldiers of the Mexican and Black Hawk wars.  
 § 2. How appropriations drawn.

AN ACT to provide for the ordinary and contingent expenses of the State Government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following named sums be and are hereby appropriated to meet the ordinary and contingent expenses of the state government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly:

*First*—A sum not exceeding three thousand dollars (\$3,000) per annum shall be subject to the order of the governor, for defraying all such public expenses of the state government as are unforeseen by the general assembly, and not otherwise provided for by law, payment to be made from time to time upon bills of particulars, certified to by the governor.

*Second*—The sum of three thousand five hundred dollars (\$3,500) per annum, for clerk hire in the governor's office, payable quarterly, upon the governor's order.

*Third*—A sum not to exceed seven hundred and fifty dollars (\$750) per annum, for postage, expressage, telegraphing and other incidental expenses connected with the governor's office, to be paid on bills of particulars, certified to by the governor.

*Fourth*—To the governor, for one porter, the sum of seven hundred dollars (\$700) per annum, payable quarterly, upon the order of the governor.

*Fifth*—To the governor, for repairs and care of the executive mansion and grounds, and for heating and lighting the executive mansion, two thousand dollars (\$2,000) per annum, to be paid upon bills of particulars, certified to by the governor.

*Sixth*—To the governor, for refurnishing the executive mansion, the sum of nine thousand dollars (\$9,000), or so much thereof as may be necessary, to be paid upon bills of particulars, certified to by the governor.

*Seventh*—To the secretary of state, for clerk hire in his office, the sum of ten thousand five hundred dollars (\$10,500) per annum, payable quarterly, upon his order. To the secretary of state, for repairs, postage, expressage, telegraphing and other incidental expenses of the office, a sum not exceeding three thousand dollars (\$3,000) per annum, payable quarterly upon bills of particulars, certified by the secretary of state and approved by the governor. To the secretary of state, for two porters and messengers, the sum of seven hundred dollars (\$700) each per annum, payable quarterly upon his order; also, for continuing the work of indexing, classifying and arranging the files and records of the office of the state department, the sum of three thousand dollars (\$3,000) per annum, payable upon his order, and approved by the governor. To the secretary of state, for the payment of all necessary incidental expenses incurred by him

in the care and custody of the state house and grounds and other state property and in repairs and improvements of the same, and for the performance of such other duties as may be imposed upon him by law, and for which no other appropriation has been made, the sum of ten thousand dollars (\$10,000) per annum, payable upon bills of particulars, certified to by the secretary of state and approved by the governor.

*Eighth*—To the auditor of public accounts, for clerk hire, the sum of seven thousand five hundred dollars (\$7,500) per annum, to be paid quarterly, upon his order. To the auditor of public accounts, for two porters and messengers, the sum of seven hundred dollars each per annum, payable quarterly, upon his order. To the auditor of public accounts, for repairs, postage, express charges, telegraphing and other incidental expenses incurred in the discharge of his duties, a sum not exceeding one thousand five hundred dollars (\$1,500) per annum. To the auditor of public accounts, for completing the classification, arrangement and care of books, papers and correspondence received from the United States land office, and for the proper indexing thereof, the sum of two thousand dollars (\$2,000), payable upon his order.

*Ninth*—To the state treasurer, for clerk hire, the sum of four thousand dollars (\$4,000) per annum, payable quarterly, upon his order. To the state treasurer, for repairs, express charges, postage, telegraphing and other necessary incidental expenses connected with his office, a sum not to exceed one thousand dollars (\$1,000) per annum, payable upon bills of particulars, certified to by him and approved by the governor. To the state treasurer, the sum of three thousand two hundred dollars (\$3,200) per annum, for two night and two day watchmen, payable quarterly, upon his order. To the state treasurer, the sum of eight hundred dollars (\$800) per annum, for messenger and clerk, payable quarterly, upon his order.

*Tenth*—To the superintendent of public instruction, for clerk hire, the sum of two thousand four hundred dollars (\$2,400) per annum; and for a janitor, porter and messenger, who shall also perform the duties of clerk when not otherwise employed, the sum of eight hundred dollars (\$800) per annum, payable quarterly, upon his order. To the superintendent of public instruction, for repairs, periodicals and educational works, and other necessary expenses of said office, a sum not exceeding one thousand five hundred dollars (\$1,500) per annum, payable on bills of particulars certified to by him and approved by the governor. Appropriations made by this clause to be paid out of the state school fund.

*Eleventh*—To the attorney-general, for clerk hire, the sum of eighteen hundred dollars (\$1,800) per annum, payable quarterly, upon his order, and for a porter and messenger, who shall also act as porter and messenger for the custodian of field-notes, the sum of six hundred dollars (\$600) per annum, payable quarterly, upon his order. To the attorney-general, for telegraphing, postage, and other necessary expenses incurred in the discharge of his duties, a sum not to exceed two thousand dollars (\$2,000) per annum, payable on bills of particulars certified to by him and approved by the governor.

*Twelfth*—To the adjutant-general, for a clerk, ordnance sergeant, and janitor, to aid and assist him in the discharge of his duties, the sum of two thousand dollars (\$2,000) per annum, payable quarterly, upon his order. To the adjutant-general, for telegraphing, postage, and other necessary office expenses, a sum not to exceed seven hundred dollars (\$700) per annum, payable on bills of particulars, certified to by him and approved by the governor: *Provided*, that the amount appropriated under this clause shall be paid out of the military fund.

*Thirteenth*—To the custodian of field notes and surveys, for his office expenses, the sum of six hundred dollars (\$600) per annum, payable on bills of particulars, certified to by him and approved by the governor.

*Fourteenth*—To the board of public charities, for salary of secretary, a sum not to exceed three thousand dollars (\$3,000) per annum; and for clerk hire and necessary incidental expenses of the board, a sum not to exceed four thousand dollars (\$4,000) per annum, payable quarterly, on bills of particulars, approved by the governor.

*Fifteenth*—To the lieutenant governor, for postage, telegraphing, stationery, and other incidental expenses, the sum of fifty dollars (\$50) payable upon his order.

*Sixteenth*—A sum not exceeding two thousand dollars (\$2,000) per annum, for costs and expenses of state suits, to be paid upon bills of particulars, certified to by the auditor and approved by the governor.

*Seventeenth*—A sum not exceeding twenty-five thousand dollars (\$25,000) per annum, or so much thereof as may be necessary, for conveying convicts to the penitentiary, to be paid on the warden's certificate, at the compensation fixed by the general laws, the auditor to compute the distance by the nearest railroad route; a sum not exceeding three thousand dollars (\$3,000), or so much thereof as may be required, for the payment of the cost of transferring insane patients, rendered necessary by the passage of an act to secure equality among the counties in the matter of the admission of patients into the state hospitals for the insane, the expenses incurred to be repaid to the several hospitals on receipted bills showing the moneys actually paid on account of such transfer, as provided by law.

*Eighteenth*—For the payment of the expenses provided for by law for the apprehension and delivery of fugitives from justice, twenty thousand dollars (\$20,000), or so much thereof as may be necessary, payable out of the levy of 1880, and fifteen thousand dollars (\$15,000) payable out of the levy of 1881, to be paid on the evidence required by law, certified to and approved by the governor.

*Nineteenth*—The sum of three thousand dollars (\$3,000) per annum, or so much thereof as may be needed, for conveying juvenile offenders to the Reform School, at Pontiac, payable on the superintendent's certificate of delivery, at the rate of compensation allowed by law, the auditor to compute the distance by the nearest railroad route.

*Twentieth*—For printing paper and stationery, for the use of the general assembly and executive departments, purchased on contracts

as required by law, payable on delivery thereof, on bills of particulars certified to by the board of commissioners of state contracts, and approved by the governor, the sum of twenty thousand dollars (\$20,000), or so much thereof as may be needed, payable out of the levy of 1880, and fifteen thousand dollars (\$15,000) payable out of the levy of 1881.

*Twenty-first*—There is hereby appropriated to defray the incidental and contingent expenses of the supreme court, to-wit: for stationery, repairs, furniture, express, books, and other expenses deemed necessary by the court, the following sums: To the northern grand division, the sum of three thousand dollars (\$3,000) per annum; to the central grand division, the sum of two thousand dollars (\$2,000) per annum; to the southern grand division, the sum of fifteen hundred dollars (\$1,500) per annum; the same to be payable upon bills of particulars, certified to by at least two of the justices of said court. There is also appropriated for the pay of the librarians of the several grand divisions of said court, who shall also act as librarians for the appellate courts, when in session in their respective grand divisions, the following sums: To the northern grand division, the sum of four hundred dollars (\$400) per annum; to the southern grand division, the sum of three hundred dollars (\$300) per annum; to the central grand division, the sum of seven hundred and fifty dollars (\$750) per annum; payable quarterly, upon the certificate of at least two justices of said court. There is also appropriated the sum of three hundred dollars (\$300) per annum, each, to the northern and southern grand divisions of said court, and to the central grand division of said court the sum of four hundred dollars (\$400) per annum, for the pay of janitors, to perform such duties as shall be determined by said justices, to be paid quarterly, upon the order of at least two of the justices of said court. There is also hereby appropriated to defray the incidental and contingent expenses of the appellate courts of this state, to-wit: for rents of court rooms, stationery, fuel, lights, postage, expressage, repairs, furniture, and other expenses deemed necessary by the respective courts, the following sums: To the first district, the sum of forty-five hundred dollars (\$4,500) per annum; to the second district, the sum of two thousand dollars (\$2,000) per annum; to the third district, the sum of fifteen hundred dollars (\$1,500) per annum; to the fourth district, the sum of eight hundred dollars (\$800) per annum; these sums to be paid upon bills of particulars, certified to by the clerks of the respective courts, and upon the order of at least two of the judges of the respective court for which the expense was incurred. Also, the sum of four hundred dollars (\$400) per annum, to each of the second and third districts, and the sum of three hundred dollars (\$300) per annum to the fourth district, for the pay of janitors, to perform such duties as shall be determined by the judges of the respective courts, to be paid quarterly, upon the order of at least two of the judges of said courts for their district. And there is hereby appropriated the sum of ten thousand dollars (\$10,000), to be used as follows: Six thousand dollars (\$6,000) to be expended in the purchase of law books for the exclusive use of

the appellate court for the first district, and four thousand dollars (\$4,000) to be expended in the purchase of law books for the law library at the capitol; that the judges of the appellate court are hereby authorized and directed, as soon as they think proper after this act shall be in force, to select and purchase for the use of said libraries, respectively, such law books as in their judgment are most useful and necessary, the total cost of said books not to exceed the sums hereby appropriated. And on the presentation of the account of the purchase of such books by said judges, or a majority of them, the auditor shall draw a warrant on the state treasurer for the amount or amounts thereof, payable to the holder of such certificate or certificates out of the money hereby appropriated.

*Twenty-second*—The sum of fifty dollars (\$50), or so much thereof as may be necessary, for the payment of bailiff at the next session of the commission of claims, payable upon the order of the judges thereof.

*Twenty-third*—For public printing, thirty thousand dollars (\$30,000), or so much thereof as may be required. For public binding, fifteen thousand dollars (\$15,000) per annum, or so much thereof as may be required. The public printing and binding to be paid for according to the contract, upon the certificate of the board of commissioners of state contracts, and approved by the governor.

*Twenty-fourth*—The sum of fifty-seven thousand dollars (\$57,000) per annum, or so much thereof as may be necessary, to pay the interest on the school fund, distributed annually in pursuance of law; the amount appropriated under this clause to be paid out of the state school fund.

*Twenty-fifth*—Such sums as may be necessary to refund the taxes on real estate sold or paid in error, and for over payments of collectors' accounts, under laws governing such cases, to be paid out of the proper funds.

*Twenty-sixth*—For laborers, janitors and watchmen of the state house, who shall perform such duties as shall be assigned to them by the secretary of state, the sum of six thousand dollars (\$6,000) per annum, payable quarterly, upon the order of said secretary of state.

*Twenty-seventh*—For the salary of the curator of the Illinois State Historical Library and Natural History Museum, the sum of two thousand dollars (\$2,000) per annum, and for the salary of one assistant, the sum of six hundred dollars (\$600) per annum. For the contingent and necessary expenses of the curator, including traveling on business connected with his office, the sum of three hundred dollars (\$300) per annum. For additional cases, furniture, and other necessary articles for the curator's office and the museum, the sum of two thousand five hundred dollars (\$2,500), to be paid upon the order of the board of trustees of the Illinois State Historical Library and Natural History Museum, and approved by the governor.

*Twenty-eighth*—To the railroad and warehouse commissioners, for the incidental expenses of their office, including care, stationery, postage and telegraphing expenses, extra clerk hire, and for the secretary's salary, and for all necessary expenditures except those

hereinafter provided for, a sum not to exceed four thousand dollars (\$4,000) per annum. For expenses incurred in suits or investigations commenced by authority of the state, under any law now in force, or hereafter to be enacted, empowering or instructing the board of commissioners, the sum of ten thousand dollars (\$10,000) per annum, or such part thereof as may be needed for such purposes. For the printing and publication of schedules of reasonable maximum rates of charges for the transportation of passengers and freights and cars, made or revised for any or all of the railroads of this state, as provided by law, the sum of ten thousand dollars (\$10,000), or so much thereof as may be needed for such purpose.

*Twenty-ninth*—A sum not to exceed fifty thousand dollars (\$50,000) for the pay of the employes of the next general assembly, as allowed them by law, to be paid on pay-rolls certified to by the presiding officers of the respective houses, or as otherwise provided for by law.

*Thirtieth*—The sum of three thousand dollars (\$3,000) for rewards for arrests of fugitives from justice, to be paid upon bills of particulars having the order of the governor endorsed thereon.

*Thirty-first*—For copying the laws, journals and joint resolutions of the general assembly, as provided by law, one thousand two hundred dollars (\$1,200). For distribution of the laws, journals and other state documents, and incidental expenses connected therewith, the sum of five hundred dollars (\$500), or so much thereof as may be necessary.

*Thirty-second*—For heating, fuel and pay of engineers and firemen of the state house, and other incidental expenses thereof, the sum of ten thousand dollars (\$10,000) per annum, or so much thereof as may be needed. For lighting the state house and other incidental expenses thereof, the sum of four thousand dollars (\$4,000) per annum, or so much thereof as may be necessary, to be paid upon bills of particulars, certified to by the secretary of state and approved by the governor.

*Thirty-third*—To the state board of equalization, for paying expenses, a sum not to exceed ten thousand dollars (\$10,000) per annum, payable in the manner provided by law.

*Thirty-fourth*—The sum of two hundred and fifty dollars (\$250) per annum, for the purchase of books for the library of the Southern Illinois Penitentiary, at Chester, to be paid upon bills of particulars having the order of the governor endorsed thereon.

*Thirty-fifth*—The sum of two hundred and fifty dollars (\$250) per annum, for the purchase of books for the library of the Illinois State Penitentiary, at Joliet, to be paid upon bills of particulars, having the order of the governor endorsed thereon.

*Thirty-sixth*—Such sum as may be necessary to enable the secretary of state to purchase such volumes of the reports of the decisions of the supreme court as he is, or may be, required by law to purchase, to be paid on bills of particulars, certified to by the secretary of state and approved by the governor.

*Thirty-seventh*—The sum of eight hundred dollars (\$800), to purchase a portrait of Governor Shelby M. Cullom, painted by G. A. R. Healy, to be hung in the executive mansion.

*Thirty-eighth*—The sum of twenty-five hundred dollars (\$2,500), or so much thereof as may be required, for the repairs and necessary improvements in the heating department of the state house, to be paid upon bills of particulars, certified to by the secretary of state and approved by the governor.

*Thirty-ninth*—To the state board of health, for salary of secretary, a sum not to exceed twenty-five hundred dollars (\$2,500) per annum; for necessary office expenses, including expenses incurred in attending meetings of the board, and in making sanitary inspections, fifteen hundred dollars (\$1,500) per annum. For salary of assistant secretary and additional clerk hire that may be needed, fifteen hundred dollars (\$1,500) per annum. Also, the sum of five thousand dollars (\$5,000) as a contingent fund, to be used only with the consent and concurrence of the governor, in case of the outbreak of any epidemic or malignant disease, such as yellow fever, cholera, etc., to defray the expenses of the board of health in investigating the causes of such diseases, and in aiding to prevent their spread, to be paid upon the order of the state board of health, approved by the governor.

*Fortieth*—To the state library (secretary of state) for the purchase of books and expenses of the state library, two thousand five hundred dollars (\$2,500) per annum, payable on bills certified by the board of commissioners of the state library. Also, eight hundred [dollars] per annum, for salary of assistant librarian, payable quarterly, on the order of the secretary of state, approved by the governor.

*Forty-first*—The sum of one million dollars (\$1,000,000) annually, out of the state school fund, to pay the amount of the auditor's orders for the distribution of said fund to the several counties. The auditor shall issue his warrants, on the proper evidence that the amount distributed has been paid to the county school superintendents.

*Forty-second*—To the commissioners of labor statistics, to pay the salary of said commissioners and their secretary, and also their office and incidental expenses, the sum of three thousand dollars (\$3,000) per annum, or so much thereof as may be necessary; the same to be paid under the conditions of an act creating said commissioners.

*Forty-third*—The sum of two thousand five hundred dollars (\$2,500) per annum, or so much thereof as may be necessary, to the fish commissioners of this state, to be used by them in pursuance of law; all expenditures to be upon bills of particulars certified to by a majority of the commissioners and approved by the governor.

*Forty-fourth*—A sum not exceeding five thousand dollars (\$5,000), to pay the expenses of committees of the thirty-third general assembly; such expenses to be certified as may be provided by resolution of either house.

*Forty-fifth*—To the adjutant-general, the additional sum of fifteen hundred dollars, for the preparation and printing and binding of the records of the services of the Illinois soldiers in the Mexican and Black Hawk wars, to be paid out of any money in the state treasury not otherwise appropriated, on the warrant of the auditor

of public accounts, drawn on vouchers of the adjutant-general approved by the governor: *Provided*, that no part of this appropriation shall be paid for paper, which shall be furnished by the secretary of state out of paper obtained for the state under contract, of quality to be selected by the governor.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant on the state treasurer for the sums herein specified, upon the presentation of proper vouchers, and the state treasurer shall pay the same out of the proper funds in the treasury not otherwise appropriated. Said warrants shall be drawn in favor of and payable to the order of the persons entitled thereto.

APPROVED May 30, 1881.

CENTRAL HOSPITAL FOR INSANE.

- |  |                                    |
|--|------------------------------------|
| § 1. Appropriates \$211,000 as follows:              | ¶ 4. \$2,000 for filter.           |
| ¶ 1. \$90,000 ordinary expenses for 1881;            | ¶ 5. \$5,000 for refrigerator.     |
| \$104,000 for 1882.                                  | ¶ 6. \$3,000 for rebuilding walls. |
| ¶ 2. \$2,500 per annum for improvements and repairs. | § 2. How drawn.                    |
| ¶ 3. \$1,000 per annum for improving grounds.        | In force July 1, 1881.             |

AN ACT to make appropriations for the Illinois Central Hospital for the Insane, at Jacksonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following amounts be and are hereby appropriated to the Illinois Central Hospital for the Insane, at Jacksonville, for the purposes hereinafter named, and for no other:*

For defraying the ordinary expenses of the said hospital, for one year, from the first of July, 1881, the sum of ninety thousand dollars (\$90,000), and at the rate of one hundred and four thousand dollars (\$104,000) thereafter, until the expiration of the first fiscal quarter after the adjournment of the next general assembly; this appropriation to be payable quarterly in advance.

For improvements and repairs, two thousand five hundred dollars (\$2,500) per annum.

For improving the grounds, one thousand dollars (\$1,000) per annum.

For building an additional filter, two thousand dollars (\$2,000).

For building a refrigerating house, five thousand dollars (\$5,000).

For rebuilding two end walls adjoining the center building, three thousand dollars (\$3,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

APPROVED May 30, 1881.

## SOUTHERN NORMAL UNIVERSITY.

§ 1. Appropriates one-half of seminary fund and \$32,012.88, as follows: one-half of seminary fund and \$12,056.44 per annum for salaries; \$750 per annum for fuel; \$1,250 per annum for library; \$1,000 per annum for repairs; \$300 per annum for chemical apparatus; \$400 for museum; and \$250 per annum for trustees' expenses.

§ 2. How drawn.

In force July 1, 1881.

AN ACT *making an appropriation for the ordinary expenses of the Southern Illinois Normal University, at Carbondale.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated to the Southern Illinois Normal University, at Carbondale, in addition to the one-half of the interest of the college and seminary fund, which is hereby appropriated, the further sum of twelve thousand and fifty-six dollars and forty-four cents per annum for the payment of salaries; the sum of seven hundred and fifty dollars per annum for fuel; the sum of twelve hundred and fifty dollars per annum for library, books and shelves; the sum of one thousand dollars (\$1,000) per annum for repairs; the sum of three hundred dollars (\$300) per annum for additions to apparatus and improvements of the chemical laboratory; the sum of four hundred dollars (\$400) per annum for the use of the museum, the increase of cases and preservation of specimens; and the sum of two hundred and fifty dollars per annum for trustees' expenses; and these several sums shall be payable quarterly in advance, from the first day of July, 1881, to the expiration of the first fiscal quarter after the adjournment of the next general assembly: *Provided,* that the expenses of the model and high schools be paid from the receipts of the said schools.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrants upon the treasurer for said sums, upon the order of the trustees of said Southern Illinois Normal University, signed by their president and attested by the secretary, with the corporate seal of the university attached: *Provided,* that satisfactory vouchers in detail, approved by the governor, shall be filed quarterly with the auditor of public accounts, for all the expenditures, ordinary and extraordinary, of the preceding quarter, and no part of the moneys herein appropriated shall be due and payable until such vouchers have been filed.

APPROVED May 30, 1881.

## SOUTHERN PENITENTIARY.

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|--|--|
| § 1. Appropriates \$69,800, as follows:                | ¶ 6. \$2,500 for cementing walls.                |
| ¶ 1. \$10,000 for convicts' kitchen, store room, etc.  | ¶ 7. \$8,000 for gas works and fixtures.         |
| ¶ 2. \$15,000 for convicts' laundry and female prison. | ¶ 8. \$1,300 for machinery.                      |
| ¶ 3. \$3,000 for barn, carriage and wagon house.       | ¶ 9. \$1,500 for water works and fire apparatus. |
| ¶ 4. \$3,000 for pump and boiler house.                | ¶ 10. \$6,500 for contingent fund.               |
| ¶ 5. \$4,000 for wharf.                                | § 2. How drawn.                                  |
|  | § 3. File vouchers.                              |
|  | In force July 1, 1881.                           |

AN ACT making an appropriation for the erection of certain buildings at the Southern Illinois Penitentiary, and for the purchase of machinery for said prison.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following sums, or so much thereof as may be necessary, be and the same are hereby appropriated for the purchase of the necessary material and the employment of such skilled labor as may be found absolutely necessary, with convict labor, for the erection and completion of the following enumerated buildings and improvements of the Southern Illinois Penitentiary, in accordance with the plans and specifications adopted for said prison :

For a convicts' kitchen, store room and repair shop, oven and fixtures, the sum of ten thousand dollars.

For a convicts' laundry and prison for female convicts, the sum of fifteen thousand dollars (\$15,000).

For one barn, carriage and wagon house, the sum of three thousand dollars (\$3,000).

For a pump house and boiler room, the sum of three thousand dollars.

For building wharf, the sum of four thousand dollars.

For cementing cells, the sum of two thousand five hundred dollars (\$2,500).

For gas works and gas fixtures, or electric light and fixtures, eight thousand dollars (\$8,000).

For machinery, one iron planer, one engine lathe, and one screw cutter, the sum of one thousand three hundred dollars.

For water works and fire extinguishers, fifteen hundred dollars (\$1,500).

For contingent fund, six thousand five hundred dollars (\$6,500), for the expenditure of which the commissioners shall make a detailed report, accompanied by proper vouchers, as provided in section three (3) of this act.

For the construction of a solitary, fifteen thousand dollars (\$15,000).

§ 2. The money hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated, on the warrant of the auditor of public accounts, in sums not exceeding ten thousand dollars at any one time; and the auditor is hereby authorized to draw his warrant on the treasurer, in said sums of not exceeding ten thousand dollars each, for the sum of money herein appropriated, on receiving a certificate of said commissioners, or a majority of them, approved by the governor, that said sum is necessary for the purposes contemplated by this act: *Provided*, that after said

commissioners shall have drawn any amount of money, by virtue of this act, they shall not be authorized to draw or receive any more so long as there shall remain in their hands the amount of one thousand dollars.

§ 3. Whenever said commissioners shall present to the auditor the certificate mentioned in section two of this act, they shall file therewith an abstract, to be signed by said commissioners, or a majority of them, accompanied by vouchers showing the expenditure of the money previously drawn, how expended, to whom and for what the same has been paid.

APPROVED May 30, 1881.

#### ILLINOIS EASTERN HOSPITAL FOR INSANE.

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|---|---|
| § 1. Appropriated \$335,600:                        | ¶ 12. \$1,000 for covering steam pipes.                 |
| ¶ 1. \$6,800 for dining-room and employes quarters. | ¶ 13. \$1,000 per annum for improvement of grounds.     |
| ¶ 2. \$12,000 for amusement hall.                   | ¶ 14. \$2,500 for library and apparatus.                |
| ¶ 3. \$5,000 for bath-house.                        | ¶ 15. \$750 per annum for stock and farm implements.    |
| ¶ 4. \$2,500 for refrigerator.                      | ¶ 16. \$1,500 for musical implements and magic lantern. |
| ¶ 5. \$3,000 for farm buildings.                    | ¶ 17. \$2,000 per annum for improvem'ts.                |
| ¶ 6. \$5,000 for boilers and pumps.                 | ¶ 18. \$160,000 for expenses.                           |
| ¶ 7. \$1,000 for drain.                             | § 2. How drawn.   |
| ¶ 8. \$4,800 for branch railroad.                   | In force July 1, 1881.                                  |
| ¶ 9. \$73,000 for completion of wing.               |   |
| ¶ 10. \$38,000 for detached wards.                  |   |
| ¶ 11. \$12,000 for furniture.                       |   |

AN ACT making appropriations for the ordinary and other expenses of the Illinois Eastern Hospital for the Insane, at Kankakee.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following amounts be and are hereby appropriated to the Illinois Eastern Hospital for the Insane, at Kankakee, for the purposes hereinafter named, and for no other, viz:*

Dining-room and employes' quarters, six thousand eight hundred dollars (\$6,800).

Amusement hall, twelve thousand dollars (\$12,000).

Bath house, five thousand dollars (\$5,000).

Refrigerator, two thousand five hundred dollars (\$2,500).

Farm buildings, three thousand dollars (\$3,000).

Boilers and pumps, five thousand dollars (\$5,000).

Land drain, one thousand dollars (\$1,000).

Branch railroad, four thousand eight hundred dollars (\$4,800).

For the completion of the south wing, seventy-three thousand dollars (\$73,000).

Detached wards, thirty-eight thousand dollars (\$38,000).

Furniture for four hundred and twenty (420) patients, twelve thousand dollars (\$12,000).

Covering steam pipes, one thousand dollars (\$1,000).

Improvement of grounds and farm, one thousand dollars per annum for two years.

Patients' library, medical library and apparatus for laboratory, two thousand five hundred dollars (\$2,500).

Additional stock and farm implements, seven hundred and fifty dollars (\$750) per annum for two years.

Musical instruments, magic lantern, etc., one thousand five hundred dollars (\$1,500).

Repairs and improvements, two thousand dollars per annum for two years.

For ordinary expenses, payable quarterly in advance, for the year commencing July 1, 1881, the sum of seventy thousand dollars (\$70,000), and the sum of ninety thousand dollars (\$90,000) per annum thereafter until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law: *And, provided, further,* that the sums hereby appropriated for the improvements herein, be the full amounts for the objects specified, and the trustees shall not make any contract for any portion of the building, or expend any portion of the appropriation hereby made, unless the said appropriation is sufficient to complete all of said improvements and finish the same.

APPROVED May 30, 1881.

#### ILLINOIS NATIONAL GUARD.

§ 1. Appropriates \$1,075.32 to pay 6th Regiment, and detachment of 1st Regiment, for services in 1877 and 1878.

§ 2. How drawn—Pay rolls.  
In force July 1, 1881.

AN ACT to provide for the payment of the Sixth Regiment and a detachment of the First Regiment, Illinois National Guard, for services performed during the years 1877 and 1878.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of one thousand and seventy-five dollars and thirty-two cents (\$1,075.32) be and the same is hereby appropriated and set apart out of any moneys in the state treasury not otherwise appropriated, for the purpose of paying the sixth regiment and a detachment of the first regiment, Illinois National Guard, for services during the years A. D. 1877 and 1878.

§ 2. That, for the payment of officers and soldiers, a pay roll for each separate company shall be made out, which shall contain the names of each officer or soldier, the number of days of actual service rendered, and the amounts due each person named for such

service. The pay rolls shall be certified, respectively, by the commanding officers to be correct, and shall be approved by the governor and filed in the office of the adjutant-general. The adjutant-general shall forthwith certify the amounts due each person, as shall appear by such pay rolls, to the auditor, who shall thereupon draw his warrant upon the treasurer, payable to the order of such persons, for the amount due, and forward the same by mail to him or his commanding officer.

APPROVED May 30, 1881.

§ 1. Appropriates the tax levy made by law.

§ 2. How drawn.  
In force July 1, 1881.

AN ACT to provide for payment of the Illinois National Guard for the year ending July 1, 1882, and for the year ending July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated, to pay the expenses of the Illinois National Guard, for the years ending July 1, 1882, and July 1, 1883, the proceeds of the levies now authorized by the "Military Code" to be made annually for state military purposes.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant on the state treasurer for the amount above set forth, upon presentation of the proper vouchers, and the state treasurer shall pay the same out of the proper funds in the treasury not otherwise appropriated, to the order of the persons entitled thereto.

APPROVED May 30, 1881.

SUPREME COURT HOUSE AT MT. VERNON.

§ 1. Appropriates \$3,000 for repainting, repairs, furnishing, and books of Supreme Court, at Mt. Vernon.

§ 2. How drawn—Vouchers.  
In force July 1, 1881.

AN ACT for an appropriation for repairs and refurnishing of the Supreme Court house, at Mt. Vernon, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there shall be appropriated out of the state treasury, for the purpose of repainting the supreme

court house and fence enclosing the same, and for necessary repairs and refurnishing, and for the purchase of books for the library of the supreme court for the southern grand division, the sum of two thousand dollars (\$2,000), or so much thereof as shall be deemed necessary by a majority of the judges of the supreme court of the state.

§ 2. The said sum, or so much thereof as shall be deemed necessary, shall be expended under the direction of the judges of the supreme court, and shall be paid in warrants to be issued by the auditor of state upon the state treasurer, upon the order of said judges, in such sums as they may from time to time require. The vouchers for such expenditures shall be filed with the auditor of state.

APPROVED May 30, 1881.

M'ALLISTER AND STEBBINS BOND NO. 363.

§ 1. Appropriates \$248.13 to pay state bond No. 363, issued under act 1841.

In force July 1, 1881.

AN ACT to authorize the payment of the sum of two hundred and forty-eight dollars and thirteen cents (\$248.13) and interest, in full settlement of the last outstanding so-called Macallister and Stebbins bond, number 363.

WHEREAS, under the provisions of the law of the state of Illinois, approved February 16, 1865, all except one (1) of the then outstanding one hundred and twenty-one (121) of the so-called Macallister and Stebbins bonds have been paid and canceled, leaving now outstanding but one (1) of said bonds, numbered 363, dated May 1, 1841, and for the face value of one thousand dollars (\$1,000), and on which no interest has been paid since July 1, 1841; and

WHEREAS, the amount of principal equitably due on said bond was the sum of two hundred and forty-eight dollars and thirteen cents (\$248.13); and the state of Illinois has paid on the rest of said bonds a like sum, with accrued interest to date of payment or to January 1, 1866, at the rate of six (6) per cent. per annum, and it appears that this said bond, No. 363, was not presented for payment, as required by the law of February 16, 1865, because of the decease of the original holder and the subsequent overlooking of the same by his heirs and holders of the bond, and without actual notice on their part of the laws relating to the presentation thereof for payment; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of two hundred*

and forty-eight dollars and thirteen cents (\$248.13) together with interest thereon at the rate of six (6) per cent. per annum from the first day of July, 1841, to the first day of January, 1866, be and is hereby appropriated, to be paid to the holder of said bond, in full settlement of the same, and the auditor is directed to draw his warrant therefor upon the delivery to him of the said bond, provided the same is presented within sixty (60) days from the date when this act shall take effect.

APPROVED May 30, 1881.

#### NORTHERN HOSPITAL FOR INSANE.

§ 1. Appropriates \$249,985, as follows:

- ¶ 1. \$98,000 for ordinary expenses 1881; \$102,000, year 1882.
- ¶ 2. \$5,000 per annum repairs and contingent fund.
- ¶ 3. \$1,000 per annum for improvement of grounds.
- ¶ 4. \$1,000 for new ice house.
- ¶ 5. \$10,000 for new boilers.
- ¶ 6. \$3,500 for new smoke stack.
- ¶ 7. \$1,100 for new heater and purifier.

- ¶ 8. \$2,500 for additional power.
- ¶ 9. \$1,250 for new fan, etc.
- ¶ 10. \$800 for drop flues.
- ¶ 11. \$500 for sewer and air ducts.
- ¶ 12. \$1,000 for new pumps.
- ¶ 13. \$4,000 for new radiators.
- ¶ 14. \$5,000 for artesian well.
- ¶ 15. \$4,450 for engine and pump house.
- ¶ 16. \$2,885 for covering steam pipes.

§ 2. How drawn.  
In force July 1, 1881.

AN ACT *making appropriations for the ordinary and other expenses of the Illinois Northern Hospital for the Insane, at Elgin.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following amounts be and are hereby appropriated to the Illinois Northern Hospital for the Insane, at Elgin, for the purposes hereinafter named, and for none other:*

For ordinary expenses, payable quarterly in advance, for the year commencing July 1, 1881, the sum of ninety-eight thousand dollars (\$98,000), and the sum of one hundred and two thousand dollars (\$102,000) per annum thereafter until after the expiration of the first fiscal quarter after the adjournment of the next general assembly.

For repairs and contingent fund, the sum of five thousand dollars (\$5,000) per annum.

For improvement of grounds, one thousand dollars (\$1,000) per annum.

For new ice house, the sum of one thousand dollars (\$1,000).

For four new boilers and steam drum, setting and making connections, etc., ten thousand dollars (\$10,000).

For new smoke stack, three thousand five hundred dollars (\$3,500).

For one heater and purifier to cleanse the water, one thousand one hundred dollars (\$1,100).

For adding to the power of engine now provided for, and making new shafting, moving old fan, etc., two thousand five hundred dollars (\$2,500).

For one new fan and shafting, with brick work, one thousand two hundred and fifty dollars (\$1,250).

For drop flues from boilers to chimney, eight hundred dollars (\$800).

For connecting sewer with ventilating shaft and completing air ducts, five hundred dollars (\$500).

For new pump of sufficient capacity for fire purposes, one thousand dollars (\$1,000).

For new cast-iron radiators to replace coils now worn out, four thousand dollars (\$4,000).

For constructing an artesian well of sufficient depth and capacity as will furnish a necessary supply of pure water, the sum of five thousand dollars (\$5,000), or so much thereof as may be necessary.

For new engine and pump house, four thousand four hundred and fifty dollars; for covering steam pipes with asbestos or other non-conducting material, two thousand eight hundred and eighty-five dollars (\$2,885).

§ 2. The moneys herein appropriated shall be due and payable to the trustees of said Illinois Northern Hospital for the Insane, at Elgin, or their order, only on the terms and in the manner now provided by law.

APPROVED May 30, 1881.

SUPREME COURT HOUSE AT OTTAWA.

§ 1. Appropriates \$1,000 for repainting and repairs upon building.

§ 2. How drawn,  
In force July 1, 1881.

AN ACT *making appropriation for repairs upon the court house of the Supreme and Appellate Courts, at Ottawa, Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be appropriated, for the purpose of repainting the woodwork of the court house of the supreme and appellate courts, at Ottawa, Illinois, and for calcimining or otherwise renovating the walls and ceilings of the several rooms thereof, the sum of one thousand dollars (\$1,000).*

§ 2. That said sum, or so much thereof as may be required, shall be expended under the direction of the justices of the appellate court of said district, who shall draw orders for all sums so expended, and file the same, together with vouchers certified by them as correct, with the auditor of state, who shall thereupon issue warrants upon the state treasurer for payment of such bills.

APPROVED May 30, 1881.

## ARAB FIRE COMPANY OF CAIRO.

§ 1. Appropriates \$250 for repairs of engine. | In force July 1, 1881.  
 § 2. How drawn.

AN ACT to appropriate the sum of two hundred and fifty dollars (\$250) to the Arab Fire Company of Cairo, Illinois, for repairing their engine, damaged at the fire of the Southern Hospital for the Insane, at Anna.

WHEREAS, the Arab Fire Company of Cairo, a volunteer company of said city, were called to assist in extinguishing the fire of the insane hospital, at Anna, and said company did proceed with dispatch and assist in extinguishing said fire; and,

WHEREAS, on their return to Cairo, while removing their steamer from the cars, it was accidentally overturned, and damaged so that it will require at least an expenditure of the sum of two hundred and fifty dollars (\$250) to repair the injury received and put it in as good condition as it was before; therefore, to reimburse said company for said expenditure,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and is hereby appropriated the sum of two hundred and fifty dollars (\$250), payable out of any moneys in the state treasury not otherwise appropriated, to the said Arab Fire Company of Cairo, Illinois, for the purpose of repairing the fire steamer of said company, which was injured and damaged while in use at the fire of the insane hospital at Anna, Illinois.*

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant on the state treasurer, payable to said Arab Fire Company of Cairo, Illinois, for said sum of two hundred and fifty dollars (\$250), on receipt from said company of vouchers of expenditure for repairs of damage and injury on their engine, received at the fire of the Southern Insane Hospital at Anna, Illinois.

APPROVED May 30, 1881.

## MARY STELGEBOWER.

§ 1. Appropriates \$2,000 for relief of Mary Stelgebower, widow of John Stelgebower. | § 2. How drawn.  
 In force July 1, 1881.

AN ACT making an appropriation for the relief of the widow and children of John Stelgebower, who volunteered and was mustered into the State service in May, 1861, and on the 18th day of May, 1861, at Jacksonville, Illinois, while obeying orders, lost both his arms by a premature discharge of a cannon belonging to the State.

WHEREAS, John Stelgebower did volunteer and was mustered into the service of the state of Illinois, in Company B, 14th Regiment

Illinois Volunteers, and at Jacksonville, Illinois, on the 18th day of May, 1861, while in the performance of a duty for which he was detailed, he lost both his arms by the premature discharge of a cannon owned by the state; and

WHEREAS, said Stelgebower was not mustered into the service of the United States, and under the laws of congress was not entitled to and never did receive either bounty or pension; and

WHEREAS, said Stelgebower has departed this life and left Mary Stelgebower, his widow, and Barbara Wilson and Louisa Stelgebower, his children; and

WHEREAS, his said widow is now getting old and feeble, and she has, unaided and without property, raised this soldier's children; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of two thousand dollars (\$2,000), which amount shall be paid to the widow and no other person, be appropriated out of the treasury, out of any funds not otherwise appropriated, for the purpose of relieving the said Mary Stelgebower and her two children aforesaid and as a recognition of the meritorious and unfortunate service of said John Stelgebower, and as a full settlement of any claim arising therefrom.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant upon the state treasurer for the sum of two thousand dollars (\$2,000) to the order of said Mary Stelgebower, and the said state treasurer shall pay the same out of any funds in the state treasury not otherwise appropriated.

APPROVED May 30, 1881.

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COMPLETION OF STATE HOUSE.

- § 1. Appropriates \$531,712.18 to complete and finish state house.
- § 2. Submitted to vote of people, Nov. 1882.
- § 3. Canvass and return of the votes by judges of election.

- § 4. Canvass by state board—Proclamation of result by governor—Appropriation, how drawn.
- § 5. In case of failure, question may be again submitted.  
In force July 1, 1881.

AN ACT to provide means for the completion and furnishing of the State House, and for the improvement of the grounds, and to provide for the appointment of three (3) commissioners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of five hundred and thirty-one thousand seven hundred and twelve dollars and eighteen cents (\$531,712.18) be and the same is hereby appropriated, for the completion and furnishing of the state house, and for the improvement of the grounds, payable as hereinafter provided, out of any

moneys in the treasury not otherwise appropriated: *Provided*, that a majority of all the votes cast at any general election, as herein-after provided, shall be in favor of such appropriation.

§ 2. At the next general election to be held in this state, on the first Tuesday after the first Monday in November, A. D. 1882, the question shall be submitted to the legal voters of this state, whether or not they are in favor of the appropriation, as provided in section one (1) of this act. In the notices for election required to be furnished by the county clerk, in section forty-six (46), chapter forty-six (46), Elections, of the Revised Statutes of 1874, in addition to the several offices to be filled, he will also insert the words, "Also, to vote for the appropriation for the state house, or against the appropriation for the state house." Those in favor of such appropriation shall have written or printed, or partly written and partly printed on their ballots, "For the \$531,712.18 appropriation;" those opposed, "Against the \$531,712.18 appropriation."

§ 3. It shall be the duties of the judges of election, in making a canvass and return of the votes cast at such election to the county clerk, in addition to the returns for the several offices voted for, to certify to the whole number of votes cast in such election precinct or district at said election; also, to certify to the whole number of votes cast in favor of such appropriation; which returns, when so made to the county clerk, shall be abstracted by the proper officers and forwarded, directed to the secretary of state, within the time and in the manner as now required by law in the case of votes cast for representatives to the general assembly.

§ 4. The secretary of state, auditor, treasurer and attorney-general, or any two of them, in the presence of the governor, shall, as required by section seventy-eight (78), chapter forty-six (46), afore-said, proceed to canvass the votes cast for such appropriation, and shall certify the result of such canvass to the governor, who shall, within five (5) days thereafter, cause proclamation of such result to be made, and if it shall appear, from such proclamation, that a majority of all the votes cast at such election were in favor of such appropriation, the same shall take immediate effect, and be in force from and after the date of such proclamation, and payable as follows: Two hundred thousand dollars (\$200,000) thereof immediately thereafter, out of any unexpended balances in the treasury, and the remaining three hundred and thirty-one thousand seven hundred and twelve dollars and eighteen cents (\$331,712.18), or so much thereof as may be necessary, shall be payable at such time or times as may hereafter be provided by the general assembly; and the auditor of public accounts will thereupon draw his warrants on the treasury, payable out of such appropriation or the accounts of expenditure, as heretofore, when duly certified to by the state house commissioners, or a majority of them, and approved by the governor.

§ 5. In case that a majority of all the voters voting at such election do not vote in favor of the appropriation, the same question may again be submitted to the legal voters at any subsequent general election, on the proclamation of the governor, or the notices to be given, and result obtained in the same manner as hereinbefore provided.

§ 6. When [this] appropriation shall take effect and be in force, as in the act provided, the governor shall, by and with the consent of the senate, appoint three (3) discreet and skillful persons to act as commissioners to superintend the completion of the state house, who, before they enter upon the discharge of their duties, shall enter into a bond to the People of the State of Illinois, with sureties to be approved by the governor, in penal sum of twenty-five thousand dollars (\$25,000) each, within thirty (30) days after their appointment, conditioned for the faithful performance of their duties, and shall severally take an oath that they will well and truly discharge all of their duties as such commissioner in superintending the completion of said state house. The governor of the state is hereby authorized to fill all vacancies by appointing commissioners, who shall continue to act until the next session of the general assembly, when the senate may ratify or reject said appointment. The governor is also authorized to remove any commissioner for cause, and fill the vacancy occasioned thereby. The compensation of each of said commissioners shall be at the rate of five dollars (\$5) per diem for the time actually employed, and shall be paid out of this appropriation.

APPROVED May 31, 1881.

## CITIES AND VILLAGES.

### BRIDGES AND FERRIES OUTSIDE OF LIMITS.

§ 1. Amends section 1, act 1879, In force July 1, 1881.

AN ACT to amend section one (1) of an act entitled "An act to enable cities and villages to build, acquire and maintain bridges and ferries outside of their corporate limits, and to control the same," approved and in force May 5, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act to enable cities and villages to build, acquire and maintain bridges and ferries outside of their corporate limits, and control the same," approved May 5, 1879, be and is hereby amended so as to read as follows:

"Section 1. That it shall be lawful for any city or village within this state to build, or acquire by purchase, lease or gift, and to maintain ferries and bridges, and the approaches thereto, for each ferry or bridge within the corporate limits, or at any point within five (5) miles of the corporate limits, of such city or village. That all such ferries and bridges shall be free to the public, and no toll shall ever be collected by any such city or village authority: *Provided*, that where any city or village has become or is the owner of any toll bridges

or ferries, and is keeping up and maintaining the same by authority of law, all ownership and rights vested in such city or village shall continue in, and be held and exercised by them, and they may from time to time fix the rates of toll on such bridges and ferries: *And, provided, further,* that in all cases where a bridge shall hereafter be built or a ferry acquired across a navigable stream by any city or village, in whole or in part, where the population of such city or village furnishing the principal part of the expenses thereof shall not exceed five thousand (5,000) inhabitants, and where it is necessary to maintain a draw and lights, and a debt shall be incurred by such city or village for such purpose, then a reasonable toll may be collected by the city or village contracting such indebtedness, to be set apart and appropriated to the payment of such indebtedness, interest thereon and the expenses of keeping such bridge in repair, and of maintaining, opening and closing the proper draws therefor, and lights; or in case of a ferry, of keeping the approaches and boat in repair and operating the same.

APPROVED May 25, 1881.

#### INCORPORATION UNDER GENERAL LAW.

§ 1. Petition to incorporate—Submission of question at next ensuing municipal election.

§ 2. Emergency clause.  
In force February 26, 1881.

AN ACT to amend section one (1) of article one (1) of "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of article one (1) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 1. That any city now existing in this state may become incorporated under this act in the manner following: Whenever one-eighth of the legal voters of such city, voting at the last preceding municipal election, shall petition the mayor and council thereof to submit the question, as to whether such city shall become incorporated under this act, to a vote of the electors in such city, it shall be the duty of such mayor and council to submit such question at the next ensuing municipal election of such city, or on the third Tuesday of April, as provided for in article four (4) of said act, for holding municipal elections: *Provided,* there shall be sufficient time intervening to give the notice required by law."

§ 2. Whereas, an emergency exists, that this act shall take effect without delay; therefore, this act shall take effect and be in force from and after its passage.

APPROVED February 26, 1881.

## ANNUAL ELECTIONS.

§ 1. Time of annual election for village officers.

§ 2. Emergency clause.  
In force March 11, 1881.

AN ACT to amend section thirteen (13) of article eleven (11) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section thirteen (13) of article 11 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be amended so as to read as follows:

"Section 13. [Annual elections.] An annual election for three trustees and a clerk of villages shall be held on the third Tuesday of April in each year: *Provided,* that in villages, the territorial limits of which coincide with the territorial limits of any township, an election for trustees, and a clerk of villages, shall be held at the same time, and at the same polling places as the annual township election, to-wit: on the first Tuesday of April in each year. Special elections may be held, under such regulations as may be provided by ordinance, to fill vacancies, and for other purposes."

§ 2. [Emergency.] Whereas, the inhabitants of certain villages in this state are now subject to the expense of an unnecessary election in each year, whereby an emergency exists that this act shall take effect without delay, therefore this act shall take effect and be in force from and after its passage.

APPROVED March 11, 1881.

## RATE OF TAXATION.

§ 1. Remits additional levy of 1 per cent. for school purposes—How collected.

§ 2. Former levies confirmed and legalized.

§ 3. Emergency.  
In force May 30, 1881.

AN ACT in relation to the rate of taxation in cities, villages and incorporated towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all cities, villages and incorporated towns in this state not now having, by their respective charters, the power to levy and collect as high a rate of taxation as is herein authorized and provided for, shall hereafter have power to assess, levy and collect annually upon the taxable property within

their respective limits, for all corporate purposes, in addition to all taxes which any such city, town or village may now or hereafter be authorized by law to levy and collect to support and maintain schools, erect school buildings and for all other school purposes, and to pay interest on its registered bonded indebtedness, such an amount as their respective corporate authorities may prescribe, not exceeding in any year the rate of one per cent. of the assessed valuation of such taxable property as equalized by the state board of equalization for the preceding year. And the said rate authorized by this act shall be in lieu of all rates and items of taxation now provided and authorized in such charters, for all purposes other than for schools, the erection of school buildings, and all other school purposes, and for paying interest on the registered bonded indebtedness of such city, town or village.

§ 2. Every tax levy made for lawful corporate purpose by any city, village or incorporated town, within this state, in the year 1880, up to the rate of taxation above authorized, is hereby ratified, authorized, legalized and confirmed to the same effect in all respects as though such levy had been made subsequent to the going into effect of this act.

§ 3. Whereas an emergency exists, by reason of certain cities in this state being now without necessary power to levy taxes, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 30, 1881.

## CLAIMS COMMISSION.

### JURISDICTION AS TO CONDEMNATION PROCEEDINGS FOR STATE IMPROVEMENTS.

§ 1. Jurisdiction as to claims for damaged property.

§ 2. Authority to make estimates or appoint surveyor to do so.

In force July 1, 1881.

AN ACT *in regard to the jurisdiction of the Commission of Claims.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the commission of claims is hereby given jurisdiction in all cases of claims against the state for the taking or damaging of private property by the state, for public purposes, in the construction or for the use of any state institution, river, canal, or other public improvement. Nothing in this act shall be so construed as to remove or repeal the bar of any statute of limitations against any such claim, nor shall the same be so construed as to give the commission jurisdiction of any claim growing out of the construction of the dam across the Illinois river,

at Henry, Illinois, or the dam across the Little Wabash river, at New Haven, Illinois, nor to any claim heretofore passed upon by said commission or the general assembly.

§ 2. Said commission may go upon the premises alleged to have been taken or damaged, or may appoint a competent surveyor to go upon such lands and report such notes and profiles to said commission as the commission may direct. Said commission may award such surveyor a reasonable compensation for such services.

APPROVED May 30, 1881.

## CONVEYANCES.

### COVENANTS OF WARRANTY.

§ 1. The words "grant," "bargain" and "sell," express covenants from grantor to grantee.

In force July 1, 1881.

AN ACT to amend section eight (8) of an act entitled "An act concerning conveyances," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section eight (8) of an act entitled "An act concerning conveyances," approved March 29, 1872, in force July 1, 1872, be and the same is hereby so amended as to read as follows:

"Section 8. In all deeds whereby any estate of inheritance in fee simple shall hereafter be limited to the grantee and his heirs, or other legal representatives, the words "grant," "bargain" and "sell," shall be adjudged an express covenant to the grantee, his heirs, and other legal representatives, to-wit: that the grantor was seized of an indefeasible estate in fee simple, free from encumbrances done or suffered from the grantor, except the rents and services that may be reserved, as also for quiet enjoyment against the grantor, his heirs and assigns, unless limited by express words contained in such deed; and the grantee, his heirs, executors, administrators and assigns, may, in any action, assign breaches, as if such covenants were expressly inserted: *Provided, always,* that this law shall not extend to leases at rack-rent, or leases not exceeding one and twenty years, where the actual possession goes with the lease.

APPROVED April 27, 1881.

## COUNTY TREASURERS.

### TERM OF OFFICE.

§ 1. Fixes term of office in counties not under township organization. | In force July 1, 1881.

AN ACT to amend section one (1) of an act entitled "An act to consolidate the offices of county treasurer and county assessor in counties not under township organization," approved May 2, 1873, in force July 1, 1873.

SECTION 1. [ELECTIONS—TIME OF HOLDING FOR CERTAIN OFFICERS.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act to consolidate the offices of county treasurer and county assessor, in counties not under township organization," approved May 2, 1873, in force July 1, 1873, be amended so as to read as follows:

"Section 1. In counties not under township organization, there shall be elected on Tuesday next after the first Monday of November, 1882, and every four years thereafter, a county treasurer, who shall be *ex-officio* the county assessor, and who shall receive all fees as treasurer and assessor, as is provided by law, and who shall hold his office for four years, and until his successor is elected and qualified: *Provided*, that no person having once been elected county treasurer under this act, shall be eligible to reelection to said office for four years after the expiration of the term for which he shall have been elected."

APPROVED May 10, 1881.

## COUNTY OFFICERS' BONDS.

### TO GIVE ADDITIONAL BONDS.

§ 1. Officers holding over give new bonds. In force July 1, 1881.

AN ACT requiring county officers who may continue in office after the time for the qualification of their successors, to give additional bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any county officer, who has been heretofore elected to any office in any county in this state, shall, for any cause, continue in office after the time for which he was elected, such officer so continuing in office shall exe-

ecute a new official bond in the same manner, of the same character, with the same conditions and penalties and like securities as now required by law of such officer before entering upon the duties of his office. Should any county officer fail, neglect or refuse to execute such new bond, as above provided, within thirty days after the expiration of the time for which he was elected, the county board of such county may declare such office vacant. The liabilities of the principal and securities of any such bond shall continue during the continuance of such officer in office; but neither the execution of such bond nor the failure to execute the same shall be held to in anywise release or extinguish the liabilities of such officer or his securities on any bond executed by them before the execution of such new bond.

APPROVED May 28, 1881.

## CORONERS.

### APPOINTMENT OF DEPUTIES.

§ 1. Coroners may appoint deputies—  
How made.

§ 2. Deputies to take oath of office.

§ 3. Deputy coroners to have same authority as principal officers.  
In force July 1, 1881.

AN ACT *allowing coroners to appoint deputies, and to prescribe their duties.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That each coroner may appoint one or more deputies, not exceeding the number allowed by rule of the circuit court of his county, and take bond or security from the same for his indemnity. Such appointment shall be in writing, and signed by the coroner, and their compensation shall be determined by the county board.*

§ 2. Each deputy shall, before entering upon the duties of his office, take and subscribe an oath, or affirmation, in like form as required of coroners, which shall be filed in the office of the county clerk.

§ 3. Deputy coroners, duly appointed and qualified, may perform any and all the duties of the coroner in the name of the coroner, and the acts of such deputies shall be held to be acts of the coroner.

APPROVED May 26, 1881.

## COURTS.

## APPELLATE.

§ 1. Amends section 1 of act of 1877 by creating four appellate courts, and defines district of each—Jurisdiction. In force July 1, 1881.

AN ACT to amend section one (1) of an act entitled "*An act to establish appellate courts,*" approved June 2, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "*An act to establish appellate courts,*" approved June 2, 1877, be and the same is hereby so amended as to read as follows:

"Section 1. There are hereby created four appellate courts in this state, to be called the appellate courts in and for the districts hereby created: The first district to consist of the county of Cook; the second district to include all the counties which now are or hereafter may be embraced within the northern grand division of the supreme court, except the county of Cook; the third district to include all the counties which now are or hereafter may be embraced within the central grand division of the supreme court; and the fourth district to include all the counties which now are or hereafter may be embraced within the southern grand division of the supreme court. Said appellate courts shall be courts of record, with seals and clerks for each, respectively; and each shall be held by three of the judges of the circuit court, to be assigned in the manner hereinafter provided."

APPROVED May 18, 1881.

§ 1. Terms of court—Time and places.

In force July 1, 1881.

§ 2. Emergency clause.

AN ACT to amend an act entitled "*An act to establish appellate courts,*" approved June 2, 1877, and as amended, approved and in force February 28, 1879.

SECTION 1. [TERMS.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two of an act entitled "*An act to establish appellate courts,*" approved June 2, 1877, as amended, approved and in force February 28, 1879, be amended so as to read as follows:

"Section 2. The terms of said appellate courts shall be held in the several districts as follows: In the first district, at the city of Chicago, on the first Tuesdays in March and October of each year.

In the second district, at Ottawa, in LaSalle county, on the third Tuesday in May and the first Tuesday in December of each year. In the third district, at Springfield, on the third Tuesdays of May and November in each year. In the fourth district, at Mt. Vernon, on the fourth Tuesdays in February and August in each year. All cases now or hereafter taken to said appellate courts, and all processes of every nature and kind that would stand for hearing or be returnable to any of said terms as now fixed by law, shall stand for hearing and be returnable to the first term of said court in each district, respectively, as fixed by this act."

§ 2. [EMERGENCY.] Whereas, the June term of said court for the second district would be held before this act takes effect; and whereas, it is desirable that the change in the time of holding said terms should apply to the first term of said court to be holden after the passage of this act; therefore an emergency exists and this act shall take effect and be in force from and after its passage.

APPROVED January 28, 1881.

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APPELLATE COURTS MAY ISSUE WRITS.

§ 1. Appellate courts granted authority to issue writs necessary to administration of justice. How issued. In force July 1, 1881.

AN ACT to amend section eleven (11) of an act entitled "An act to establish appellate courts," approved June 2, 1877, in force July 1, 1877.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section eleven (11) of an act entitled "An act to establish appellate courts," approved June 2, 1877, in force July 1, 1877, be amended so as to read as follows:

"Section 11. The said appellate courts, respectively, may issue the writ of *mandamus* to cause a proper record to be duly certified or made and certified, or to cause any other act to be done which may be necessary to enforce the due administration of justice in all matters, suits or proceedings which could or might by appeal or writ of error, or in any other lawful manner, be brought within their respective jurisdictions; upon petition filed, the clerk of the proper court shall issue summons, and like proceedings shall be had as in other cases of *mandamus*. And the said appellate courts, respectively, may also issue writs of *certiorari*, error, *supersedeas*, and all other writs not prohibited by law, which may be necessary to enforce the due administration of justice in all matters within their jurisdiction. Such writs or process shall run in the name of the People

of the State of Illinois, and bear test in the name of the presiding justice of the court from which it may issue, be signed by the clerk, dated when issued, sealed with the seal of the court, and made returnable according to law."

APPROVED May 31, 1881.

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APPEALS AND WRITS OF ERROR TO SUPREME OR APPELLATE COURTS.

§ 1. Appeals and writs of error—How taken and prosecuted. | In force July 1, 1881.

AN ACT to amend section one hundred and twenty-three (123) of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, and to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended by act approved May 21, 1877, in force July 1, 1877.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section one hundred and twenty-three of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, and to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended by act approved May 21, 1877, in force July 1, 1877, be and the same is hereby amended so as to read as follows:

"Section 123. Appeals and writs of error may be taken and prosecuted from the final orders, judgments and decrees of the county court to the supreme court, or appellate court, in proceedings for the confirmation of special assessments, in proceedings for the sale of lands for taxes and special assessments, and in all common law and attachment cases, and cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error shall, when not otherwise provided, be taken and prosecuted in the same manner as appeals from and writs of error to circuit courts."

APPROVED May 30, 1881.

## CAUSES REMANDED BY SUPREME OR APPELLATE COURTS.

§ 1. Transcripts of order to either party  
by payment of fees.

§ 2. Applies to causes heretofore as well  
as hereafter.  
In force July 1, 1881.

AN ACT *in relation to remanding causes on appeal or writ of error.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That when any cause is remanded by the supreme court or appellate court, any person shall be entitled to have a transcript of such order duly certified by the clerk of such court, upon paying to such clerk the costs in such cause made by such party in said supreme or appellate courts, and the fees for making such transcript.

§ 2. This act shall apply to causes now in the supreme and appellate courts in which such order has been made, as well as to causes in which such order shall be hereafter made.

APPROVED May 19, 1881.

## CIRCUIT.

§ 1. Williamson county—Additional terms.  
§ 2. Emergency clause.

In force April 21, 1881.

AN ACT *to provide two additional terms of the circuit court in Williamson county.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That hereafter there shall be held, in the county of Williamson, two additional terms of the circuit court, to commence on the second Mondays in the months of May and November, in each and every year.

§ 2. Whereas, in consequence of the extremely cold weather in the month of January, and extreme hot weather in the month of July, the terms now fixed by law for holding terms of court in said county, no regular term of said court has been held for more than one year, therefore an emergency is hereby declared to exist, and therefore this act shall take effect and be in force from and after its passage.

APPROVED April 21, 1881.

## FIRST CIRCUIT.

§ 1. Fixes time for holding court in the counties of Union, Jackson, Williamson, Franklin, Saline, Alexander, Pulaski, Pope, Massac, Hardin and Johnson.

§ 2. Emergency clause.  
In force April 16, 1881.

AN ACT to amend section two (2) of an act entitled "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the state of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, and to create an additional term of the circuit court in Alexander county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of an act entitled "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the state of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, be amended so as to read as follows:

"Section 2. First circuit: In the county of Union, on the first Monday of March and first Monday of September; in the county of Jackson, on the fourth Monday of March and second Monday of August, and second Monday of December; in the county of Williamson, on the second Mondays of January and July; in the county of Franklin, on the fourth Mondays of April and October; in the county of Saline, on the second Mondays of March and September; in the county of Alexander, on the second Monday of February, and second Monday of May, and third Monday of September, and second Monday of July: *Provided*, the term to be held on the second Monday of July in Alexander county shall be held exclusively for criminal business; in the county of Pulaski, on the third Monday of February and first Monday of October; in the county of Pope, on the third Monday of February and second Monday of October; in the county of Massac, on the third Monday of April and third Monday of November; in the county of Hardin, on the first Monday of April and fourth Monday of October; in the county of Johnson, on the first Mondays of April and November: *Provided*, that no grand jury shall be summoned to attend at said May term in Alexander county, except by the special order of the judge holding such term of court."

§ 3 [2]. Whereas, a large amount of business has accumulated in the Alexander county circuit court, and it will be necessary to hold the May term there for its relief; and whereas, an emergency has arisen, it is provided that this act shall take effect and be in force from and after its passage.

APPROVED April 16, 1881.

## SECOND CIRCUIT.

§ 1. Fixes time for holding court in the counties of Lawrence, Cumberland, Crawford, Clay, Richland, Effingham, Jasper, Jefferson, Hamilton, Wayne, Edwards, Wabash, White and Gallatin.

§ 2. Emergency clause.  
In force April 19, 1881.

AN ACT to amend section three (3) of an act entitled "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the state of Illinois, exclusive of the county of Cook," approved May 24, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three (3) of an act entitled "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the state of Illinois, exclusive of Cook county," approved May 24, 1879, and in force July 1, 1879, be amended to read as follows:

"Section 3. Second circuit: In the county of Lawrence, on the first Mondays of February and August; in the county of Cumberland, on the third Mondays of February and August; in the county of Crawford, on the first Mondays of March and September; in the county of Clay, on the third Monday of March and on the second Monday of September; in the county of Richland, on the second Mondays of April and November; in the county of Effingham, on the fourth Monday of April and the third Monday of October; in the county of Jasper, on the third Monday of May and first Monday of December; in the county of Jefferson, on the second Monday of May and second Monday of December; in the county of Hamilton, on the fourth Mondays of February and September; in the county of Wayne, on the third Mondays of March and October; in the county of Edwards, on the second Mondays of April and November; in the county of Wabash, on the third Mondays of April and November; in the county of White, on the first Monday of January, the second Monday of March, the first Monday of June, and the first Monday of October; in the county of Gallatin, on the first Mondays of February and September: *Provided,* that the January and June terms of the court to be held in the county of White shall be devoted exclusively to the transaction of any business in criminal, civil and chancery cases not requiring a jury, or where a trial by jury is waived, and for these terms of court no grand or petit jury shall be summoned or empaneled."

§ 2. Whereas, the June term of the circuit court of White county is very oppressive to the people of said county by reason of the people being called from their farms in the busiest season of the year for jurors and witnesses in contested cases, therefore an emergency has arisen, and this act shall take effect and be in force from and after its passage.

APPROVED April 19, 1881.

## COUNTY.

§ 1. County courts to have concurrent jurisdiction with circuit courts in counties having probate courts.

§ 2. Process, practice and pleadings.

§ 3. Fees of clerks.

In force July 1, 1881.

AN ACT to extend the jurisdiction of county courts in counties in which probate courts are or may be established.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all counties in which probate courts are or may hereafter be established, in addition to the jurisdiction now conferred upon them by law, county courts shall have concurrent jurisdiction with the circuit courts in all cases at law and in equity, except criminal cases, where the punishment may be death or confinement in the penitentiary.

§ 2. The process, practice and pleadings in said county courts in the cases in which jurisdiction is conferred upon them by this act, shall be the same as in the circuit courts in similar cases, and the process, orders, judgments and decrees of said courts shall have the same forms, force, lien and effect as in like cases in the circuit court; and all final orders, judgments and decrees of said courts in such cases may be reviewed by appeal or writ of error in the same manner and upon the same terms and conditions as is provided by law for like cases in the circuit courts.

§ 3. The clerks of said county courts shall charge and collect like fees as the clerks of circuit courts for similar services.

APPROVED April 29, 1881.

§ 1. Election of judges. In force July 1, 1881.

AN ACT to amend section three (3) of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof; to fix the time for holding the same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874.

SECTION 1. [COUNTY JUDGES—THEIR ELECTION.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three (3) of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof; to fix the time for holding the same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874, be amended so as to read as follows:

"Section 3. The county judge, in each county, shall be elected on the Tuesday after the first Monday in November in the year 1882, and on Tuesday after the first Monday in November every fourth year thereafter, and shall enter upon the duties of his office on the first Monday in December after his election, and shall hold his office for four years, and until his successor is elected and qualified."

APPROVED May 10, 1881.

§ 1. Fixes terms in certain counties.  
 § 2. Writs returnable.

§ 3. Emergency.  
 In force May 22, 1881.

AN ACT to amend sections fifteen (15), twenty-three (23), thirty-seven (37), forty-one (41), fifty-two (52), fifty-eight (58), seventy-eight (78), eighty-four (84), ninety-nine (99), one hundred and three (103), and one hundred and eight (108) of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof; to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections fifteen (15), twenty-three (23), thirty-seven (37), forty-one (41), fifty-two (52), fifty-eight (58), seventy-eight (78), eighty-four (84), ninety-nine (99), one hundred and three (103) and one hundred and eight (108) of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof; to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, be amended so as to read as follows:

"Section 15. Calhoun, in January and August."

"Section 23. Coles, in March and September."

"Section 37. Fulton, in March and August."

"Section 41. Hamilton, in January and August."

"Section 52. Johnson, in March and September."

"Section 58. LaSalle, on the first Mondays of January, March, May, September and November."

"Section 78. Moultrie, in January and August."

"Section 84. Pope, in July and December."

"Section 99. Vermilion, in April, August and December."

"Section 103. Wayne, in January and August."

"Section 108. Winnebago, in March, June and November."

§ 2. All summons, subpœnas, writs, bonds, recognizances, *venires*, papers and processes of any kind whatever, made and served for or returnable to the several terms of court, at such times as said terms are required to be held by the law in force immediately prior to the time this act shall take effect, shall be deemed and taken, and shall have the same force and effect, as if the same had been made and served for or returnable to the first term of court to be held in each county as fixed by this act, and no action, suit, cause or proceeding now pending in any of the county courts shall be abated by force of the provisions of this act.

§ 3. Whereas, in consequence of the condition of the legal business of said county of Winnebago, a term of said county court is required in the month of June, A. D. 1881, and an emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 27, 1881.

## PROBATE.

§ 1. Amends act of 1877, so as to allow counties having a population of 70,000 or more to establish probate courts.

§ 2. How organized—Name and seal.  
In force July 1, 1881.

AN ACT to amend the title and section one (1) of an act entitled "An act to establish probate courts in all counties having a population of one hundred thousand (100,000) or more, to define the jurisdiction thereof, and regulate the practice therein, and to fix the time for holding the same," approved April 27, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the title of the act entitled "An act to establish probate courts in all counties having a population of one hundred thousand or more, to define the jurisdiction thereof, and regulate the practice therein, and to fix the time for holding the same," approved April 27, 1877, be amended, so as to read as follows: An act to establish probate courts in all counties having a population of seventy thousand or more, to define the jurisdiction thereof, and regulate the practice therein, and to fix the time for holding the same.

§ 2. That section one (1) of said act be amended so as to read as follows:

"Section 1. That there shall be established in each county of this state, now created and organized, or which may be hereafter created and organized, and which has a population of seventy thousand or more, a court of record, to be styled 'The Probate Court of (name of) County.' Such court shall have a seal, and may, from time to time, as may be necessary, renew or alter the same. The expense of such seal, and of renewing and altering the same, shall be paid by the county."

APPROVED May 21, 1881.

## CRIMINAL COURT OF COOK COUNTY.

§ 1. Judges to hold different branches at same time.

§ 2. Emergency clause.  
In force April 21, 1881.

AN ACT in relation to the criminal court of Cook county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That two or more of the judges of the criminal court of Cook county may each hold a different branch of said court at the same time.

§ 2. Inasmuch as there is now pending in said court more causes than can be disposed of promptly by one judge of the court, it is hereby declared that an emergency exists therefor; and therefore this act shall be in force from and after its passage.

APPROVED, April 21 1881.

## CRIMINAL CODE.

## DEADLY WEAPONS.

## REGULATES TRAFFIC AND PREVENTS SALE TO MINORS.

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| <p>§ 1. Forbids possession or sale of slung-shots or knuckles—penalty.</p> <p>§ 2. Forbids sale, loan or gift to minors, of fire-arms or other deadly weapons—penalty.</p> <p>§ 3. Provides for registry of sales by dealers in deadly weapons—Form of register—penalty for failure to keep same.</p> <p>§ 4. Penalty for carrying deadly weapons or display of same.</p> | <p>§ 5. Fines and penalties—how recovered—Increased penalty for second offense.</p> <p>§ 6. Exempts sheriffs, coroners, constables, policemen or peace officers from provisions of this act.</p> <p>§ 7. Repealing clause for acts in conflict.</p> <p>In force July 1, 1881.</p> |
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AN ACT to regulate the traffic in deadly weapons, and to prevent the sale of them to minors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever shall have in his possession, or sell, give or loan, hire or barter, or whoever shall offer to sell, give, loan, hire or barter, to any person within this state, any slung-shot or metallic knuckles, or other deadly weapon of like character, or any person in whose possession such weapons shall be found, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten dollars (\$10) nor more than two hundred dollars (\$200).

§ 2. Whoever, not being the father, guardian or employer of the minor herein named, by himself or agent, shall sell, give, loan, hire or barter, or shall offer to sell, give, loan, hire or barter to any minor within this state, any pistol, revolver, derringer, bowie knife, dirk or other deadly weapon of like character, capable of being secreted upon the person, shall be guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 3. All persons dealing in deadly weapons, hereinbefore mentioned, at retail within this state shall keep a register of all such weapons sold or given away by them. Such register shall contain the date of the sale or gift, the name and age of the person to whom the weapon is sold or given, the price of the said weapon, and the purpose for which it is purchased or obtained. The said register shall be in the following form:

No. of weapon.	To whom sold or given.	Age of purchaser.	Kind and description of weapon.	For what purpose purchased or obtained.	Price of weapon.
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Said register shall be kept open for the inspection of the public, and all persons who may wish to examine the same may do so at all reasonable times during business hours. A failure to keep such register, or to allow an examination of the same, or to record

therein any sale or gift of a deadly weapon, or the keeping of a false register, shall be a misdemeanor, and shall subject the offender to a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 4. Whoever shall carry a concealed weapon upon or about his person of the character in this act specified, or razor as a weapon, or whoever, in a threatening or boisterous manner, shall display or flourish any deadly weapon, shall be guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 5. All fines and penalties specified in this act may be recovered by information, complaint or indictment, or other appropriate remedy, in any court of competent jurisdiction; and, when recovered, shall be paid into the county treasury of the county where the conviction is had, and become a part of the current revenue of the county; or the said fines and penalties may be recovered by *qui tam* action, one-half to be paid to the informer, and the other half to be paid into the county treasury, as aforesaid. For a second violation of any of the provisions of this act the offender shall be fined in double the amount herein specified, or may be committed to the county jail for any term not exceeding twenty days, in the discretion of the court.

§ 6. Section four (4) of this act shall not apply to sheriffs, coroners, constables, policemen or other peace officers, while engaged in the discharge of their official duties, or to any person summoned by any of such officers to assist in making arrest, or preserving the peace, while such person so summoned is engaged in assisting such officer.

§ 7. All acts and parts of acts in conflict with this act are hereby repealed.

APPROVED April 16, 1881.

PENALTY FOR ADULTERATION OF BUTTER AND CHEESE.

§ 1. Manufacture of imitations or adulteration of butter and cheese prohibited—Penalty.

§ 2. Repealing clause.  
In force July 1, 1881.

AN ACT to prevent the adulteration of butter and cheese, or the sale or disposal of the same, or the manufacture or sale of any article as a substitute for butter or cheese, or any article to be used as butter and cheese.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever manufactures out of any oleaginous substances, or any compound of the same other than that produced from unadulterated milk, or cream from the same,

any article designed to take the place of butter or cheese produced from pure, unadulterated milk, or cream of the same, and shall sell, or offer for sale, the same as butter or cheese, or give to any person the same as an article of food, as butter or cheese, shall, on conviction thereof, be fined not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 2. All acts or parts of acts inconsistent with this act are hereby repealed.

APPROVED June 1, 1881.

#### ADULTERATION OF ARTICLES OF FOOD, DRINK OR MEDICINE.

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| <p>§ 1. Prohibits adulteration of food, and forbids sale of.</p> <p>§ 2. Prohibits mixing drugs and medicine.</p> <p>§ 3. Requires notice of adulterated articles, and stamping of same when offered for sale.</p> <p>§ 4. Prohibits adulteration of butter and cheese with oleomargarine, unless stamped.</p> | <p>§ 5. Prescribes penalty for violation of this act.</p> <p>§ 6. Convictions not to be had if persons can show a lack of knowledge of the law.</p> <p>§ 7. State's attorney's charged with the execution of law.</p> <p>§ 8. Repeals conflicting acts.<br/>In force July 1, 1881.</p> |
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AN ACT to prevent and punish the adulteration of articles of food, drink and medicine, and the sale thereof when adulterated.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no person shall mix, color, stain or powder, or order or permit any other person in his or her employ to mix, color, stain or powder any article of food with any ingredient or material, so as to render the article injurious to health, or depreciate the value thereof, with intent that the same may be sold; and no person shall sell or offer for sale any such article so mixed, colored, stained or powdered.

§ 2. No person shall, except for the purpose of compounding in the necessary preparation of medicine, mix, color, stain or powder, or order or permit any other person to mix, color, stain or powder, any drug or medicine with any ingredient or material, so as to affect injuriously the quality or potency of such drug or medicine, with intent to sell the same, or shall sell or offer for sale any such drug or medicine so mixed, colored, stained or powdered.

§ 3. No person shall mix, color, stain or powder any article of food, drink or medicine, or any article which enters into the composition of food, drink or medicine, with any other ingredient or material, whether injurious to health or not, for the purpose of gain or profit, or sell, or offer the same for sale, or order or permit any other person to sell or offer for sale any article so mixed, colored, stained or powdered, unless the same be so manufactured, used or sold, or offered for sale under its true and appropriate

name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing the same, so as to be and remain at all times readily visible, or unless the person purchasing the same is fully informed by the seller of the true name and ingredients (if other than such as are known by the common name thereof) of such article of food, drink or medicine, at the time of making sale thereof or offering to sell the same.

§ 4. No person shall mix oleomargarine, suine, butterine, beef-fat, lard, or any other foreign substance, with any butter or cheese intended for human food, without distinctly marking, stamping or labeling the article, or the package containing the same, with the true and appropriate name of such article, and the percentage in which such oleomargarine or suine enters into its composition; nor shall any person sell or offer for sale, or order or permit to be sold or offered for sale, any such article of food into the composition of which oleomargarine or suine has entered, without at the same time informing the buyer of the fact and the proportions in which such oleomargarine, suine, or butterine, beef-fat, lard, or any other foreign substance has entered into its composition: *Provided*, that nothing in this act shall be so construed as to prevent the use of harmless coloring matter in butter and cheese, or other articles of food.

§ 5. Any person convicted of violating any provision of any of the foregoing sections of this act shall, for the first offense, be fined not less than twenty-five dollars (\$25), nor more than two hundred dollars (\$200); for the second offense he shall be fined not less than one hundred dollars (\$100), nor more than two hundred dollars (\$200), or confined in the county jail not less than one month nor more than six months, or both, at the discretion of the court; and for the third and all subsequent offenses he shall be fined not less than five hundred dollars (\$500) nor more than two thousand dollars (\$2,000), and imprisoned in the penitentiary not less than one year nor more than five years.

§ 6. No person shall be convicted under any of the foregoing sections of this act, if he shows to the satisfaction of the court or jury that he did not know that he was violating any of the provisions of this act, and that he could not, with reasonable diligence, have obtained the knowledge.

§ 7. The state's attorneys of this state are charged with the enforcement of this act, and it is hereby made their duty to appear for the people and to attend to the prosecution of all complaints under this act, in their respective counties, in all courts.

§ 8. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED June 1, 1831.

## DENTAL SURGERY.

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| <p>§ 1. Qualification to practice—Diploma.</p> <p>§ 2. Board of examiners—Appointment—Term.</p> <p>§ 3. Organization of board—Meeting—Quorum.</p> <p>§ 4. Registration of dental practitioners.</p> <p>§ 5. Prohibited to practice unless registered.</p> | <p>§ 6. Examination to practice—License.</p> <p>§ 7. Temporary license.</p> <p>§ 8. Penalties for violation of this act.</p> <p>§ 9. Fees—Compensation to board—Surplus—Report of board to governor.</p> <p>§ 10. Register of license with county clerk.</p> |
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AN ACT to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any person, who is not at the time of the passage of this act engaged in the practice of dentistry in this state, to commence such practice unless such person shall have received a diploma from the faculty of some reputable dental college duly authorized by the laws of this state, or of some other of the United States, or by the laws of some foreign country, in which college or colleges there was at the time of the issue of such diploma, annually delivered a full course of lectures and instruction in dental surgery: *Provided,* that any person removing into this state who shall have been for a period of ten years prior to such removal a practicing dentist, and, provided, also, that any person holding the diploma of doctor of medicine from any reputable medical college, shall be entitled to practice dentistry in this state, upon obtaining a license for that purpose as hereinafter provided; and nothing in this act shall be construed to prohibit any physician or surgeon from extracting teeth.

§ 2. A board of examiners, to consist of five practicing dentists, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this act. The members of said board shall be appointed by the governor. The term for which the members of said board shall hold their offices shall be five years, except that the members of the board first to be appointed under this act shall hold their offices for the term of one, two, three, four and five years, respectively, and until their successors shall be duly appointed. In case of a vacancy occurring in said board, such vacancy shall be filled by the governor.

§ 3. Said board shall choose one of its members president and one the secretary thereof, and it shall meet at least once in each year, and as much oftener and at such times and places as it may deem necessary. A majority of said board shall at all times constitute a quorum, and the proceedings thereof shall at all reasonable times be open to public inspection.

§ 4. It shall be the duty of every person who is engaged in the practice of dentistry in this state, within six months from the date of the passage of this act, to cause his or her name and residence or place of business to be registered with said board of examiners,

who shall keep a book for that purpose; and every person who shall so register with said board as a practitioner of dentistry, may continue to practice the same as such without incurring any of the liabilities or penalties provided in this act.

§ 5. No person, whose name is not registered on the books of said board as a regular practitioner of dentistry, within the time prescribed in the preceding section, shall be permitted to practice dentistry in this state until such person shall have been duly examined by said board and regularly licensed in accordance with the provisions of this act.

§ 6. Any and all persons, who shall so desire, may appear before said board at any of its regular meetings and be examined with reference to their knowledge and skill in dental surgery, and if the examination of any such person or persons shall prove satisfactory to said board, the board of examiners shall issue to such persons as they shall find from such examination to possess the requisite qualifications, a license to practice dentistry in accordance with the provisions of this act. But said board shall, at all times, issue a license to any regular graduate of any reputable dental college without examination, upon the payment by such graduate, to the said board, of a fee of one dollar. All licenses issued by said board shall be signed by the members thereof, and be attested by its president and secretary; and such license shall be *prima facie* evidence of the right of the holder to practice dentistry in the state of Illinois.

§ 7. Any member of said board may issue a temporary license to any applicant, upon the presentation by such applicant of the evidence of the necessary qualifications to practice dentistry, and such temporary license shall remain in force until the next regular meeting of said board occurring after the date of such temporary license, and no longer.

§ 8. Any person who shall violate any of the provisions of this act shall be liable to prosecution before any court of competent jurisdiction, upon information or by indictment, and upon conviction may be fined not less than twenty-five dollars nor more than fifty dollars for each and every offense. All fines recovered under this act shall be paid into the common school fund of the county in which such conviction takes place.

§ 9. In order to provide the means for carrying out and maintaining the provisions of this act, the said board of examiners may charge each person applying to or appearing before them for examination for license to practice dentistry, a fee of two dollars, and out of the funds coming into the possession of the board from the fees so charged, the members of said board may receive as compensation the sum of five dollars for each day actually engaged in the duties of their office, and all legitimate and necessary expenses incurred in attending the meetings of said board. Said expenses shall be paid from the fees and penalties received by the board under the provisions of this act. And no part of the salary or other expenses of the board, shall ever be paid out of the state treasury. All moneys received in excess of said per diem allowance and other expenses above provided for, shall be held by the secre-

tary of said board as a special fund for meeting the expenses of said board, by giving such bond as the board shall, from time to time, direct. And said board shall make an annual report of its proceedings to the governor, by the fifteenth of December of each year, together with an account of all moneys received and disbursed by them pursuant to this act.

§ 10. Any person who shall be licensed by said board to practice dentistry, shall cause his or her license to be registered with the county clerk of any county or counties in which such person may desire to engage in the practice of dentistry, and the county clerks of the several counties in this state shall charge, for registering such license, a fee of twenty-five cents for each registration. Any failure, neglect or refusal, on the part of any person holding such license, to register the same with the county clerk, as above directed, for a period of six months, shall work a forfeiture of the license, and no license, when once forfeited, shall be restored, except upon the payment to the said board of examiners of the sum of twenty-five dollars, as a penalty for such neglect, failure or refusal.

APPROVED May 30, 1881.

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## DRAINAGE.

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### CONSTRUCTION OF LEVEES.

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| <p>§ 1. Petition—how drawn and filed—jurisdiction of same—Certified copy to be mailed to non-residents—Certificate of clerk.</p> <p>§ 2. Hearing of petition as to damages of proposed work—Deeds made to defeat this act held to be fraudulent—Finding of court as to necessity of work—When lands comprising proposed district are in different counties, not more than two commissioners to be chosen from any one county.</p> <p>§ 3. Commissioners not to be confined to route or plan of drainage course laid down by petition—County court to declare district established, upon application of commissioners—Court may change name of district.</p> <p>§ 4. Commissioners to publish notice of drainage assessment—form of notice—Commissioners to give notice of installments as they become due.</p> | <p>§ 5. Commissioners, or their collector, to make certified list of delinquent lands when installments are not paid when due—Sale for non-payment, and redemption of lands.</p> <p>§ 6. Commissioners may use funds for compromising suits, under direction of court.</p> <p>§ 7. Commissioners may borrow money—Limitation of power—Notes and bonds not to run longer than one year after falling due of last installment—Authority of court to make orders.</p> <p>§ 8. Abandonment of drain or levee—Petition—Court may order discontinuance of work and diminish cost—Abatement of assessments—Refunding of assessments in case of abolishment of district.</p> <p>§ 9. Emergency.</p> <p style="text-align: right;">In force May 19, 1881.</p> |
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AN ACT to amend sections three (3), five (5), twelve (12), thirty-three (33), thirty-four (34), thirty-seven (37) and thirty-eight (38) of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, and to add to said act an additional section, to be known as section forty-three and one-half (43½).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section three (3) of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, be and the same is hereby so amended as to read as follows:*

"Section 3. Such petition being filed, the clerk of said county court shall cause three (3) weeks' notice of the presentation and filing of such petition to be given, by posting notices thereof in at least five (5) of the most public places in said proposed district in which said work is to be done, and also by publishing a copy thereof at least once a week, for three successive weeks, in some newspaper or newspapers published in each county from which any part of said district is proposed to be formed. Such notice shall state when and in what court said petition was and is filed; the starting point, route, termini, and general description of the proposed route; the boundaries and name of the proposed drainage district, and at what term of the said court the petitioners will ask a hearing of such petition. If any of the land owners of said district are non-residents of the county or counties in which the proposed district will lie, the petition shall be accompanied by an affidavit, giving the names and places of residence of such non-residents, if known, and if unknown, stating that, upon diligent inquiry, their places of residence cannot be ascertained: and the clerk shall send a copy of the notice aforesaid to each of said non-residents whose residence is known, within three (3) days after the first publication of the same. The certificate of the clerk, or the affidavit of any other credible person, affixed to a copy of said notice, shall be sufficient evidence of the posting, mailing and publication of said notices."

§ 2. That section five (5) of the act aforesaid, to which this act is an amendment, be and the same is hereby so amended as to read as follows:

"Section 5. On the hearing of any petition filed under the provisions of this chapter, all parties through or upon whose land any of the proposed work may be constructed, or whose lands may be damaged or benefited thereby, may appear and contest the necessity or utility of the proposed work, or any part thereof, and the contestants and petitioners may offer any competent evidence in regard thereto. It shall be the duty of the court to hear and determine whether or not the said petition contains the signatures of a majority of the owners of lands within said proposed district who are of lawful age, and who represent one-third in area of the lands

proposed to be affected by such work, and the affidavit of any three (3) or more of the signers of said petition, that they have examined said petition, and are acquainted with the locality of said district, and that the said petition is signed by a majority of such owners, who are of lawful age, who represent at least one-third in area of the lands proposed to be affected by such work, may be taken by the court as *prima facie* evidence of the facts therein stated; or the oath or affirmation before said court, or the affidavit of any person, properly taken and certified by any person or court authorized to take acknowledgments of deed to real estate in this state, giving the age of such party, and his or her ownership of lands, to be named in such oath, affirmation or affidavit, by proper description, shall be sufficient evidence to the court of such facts: *Provided*, that all deeds made for the purpose of establishing or defeating the prayer of said petition, not made in good faith and for a valuable consideration, shall be taken and held to be in fraud of the provisions of this act, and the holders thereof shall not be considered as owners thereof. If the court, after hearing any and all competent evidence that may be offered before it, for and against the said petition, shall find that the same has not been signed by a majority of the land owners, as hereinbefore required, the said petition shall be dismissed at the cost of the petitioners; but if the court shall find that the petition has been signed by land owners constituting such majorities, the court shall so find, and such finding shall be conclusive upon the land owners of such district that they have assented to and accepted the provisions of this act; and if it shall further appear to the court that the proposed drain or drains, ditch or ditches, levee or other works, is or are necessary, or will be useful for the drainage of the lands proposed to be drained thereby, for agricultural, sanitary, or mining purposes, the court shall so find, and appoint three (3) competent persons as commissioners to lay out and construct such proposed work. In case the lands to be drained or leveed shall be situated in different counties, not more than two (2) of the commissioners shall be chosen from any one of such counties. If the court shall find against the petitioners, the petition shall be dismissed at the cost of the petitioners."

§ 3. That section twelve (12) of the act aforesaid, to which this act is an amendment, be and the same is hereby so amended as to read as follows:

"Section 12. The commissioners shall not be confined to the point of commencement, route or termini of the drains or ditches, or the number, extent or size of the same, or the location, plan or extent of any levee, ditch or other work to that proposed by the petitioners, but shall locate, design, lay out, plan the same, in such manner as they shall think will drain or protect the petitioners' lands with the least damage and greatest benefit to all lands to be affected thereby; and any plans proposed by the commissioners may, on the application of any person interested, or of the commissioners, be altered by order of the court, in such manner as shall appear to the court to be just. If the commissioners find that the proposed district, as described in the petition filed, will not embrace

all the lands that will be benefited by the proposed works, or that it will include lands that will not be benefited, and not necessary to be included in said districts for any purpose, they may extend or contract the boundaries of the proposed district, so as to include or exclude all such lands, as the case may be, and the boundaries adopted and reported by said commissioners may at any time before the court declares the district established, upon the application of the commissioners, or of any person interested, be altered by the court, in such manner as shall appear to the court to be just. And the court may change the name of a district, or proposed district, at the same time and in the same order establishing a drainage district the boundaries of which shall have been changed as aforesaid: *Provided*, the alteration of boundaries as aforesaid shall not have the effect of so far enlarging or contracting the proposed district that the petitioners will no longer constitute a majority of the adult land owners of the lands therein situated, nor represent less than one-third of its area."

§ 4. That section thirty-three (33) of the act aforesaid, to which this act is an amendment, be and the same is hereby so amended as to read as follows:

"Section 33. The commissioners, upon receiving such certified copy of such assessment roll, shall immediately cause a notice to be published for three (3) weeks, in the manner required in section three (3) of the act to which this is an amendment, in substance as follows:

*"Notice of drainage assessment.*—Notice is hereby given to all persons interested, that an assessment (or installment of.....per cent. of the assessment, as the case may be,) is now due, for drainage purposes for the year A. D. 18....., upon lands lying within the..... drainage district, in the county of.....and state of Illinois, and that the same must be paid to the undersigned, commissioners of said drainage district, on or before the..... day of..... 18.....; and in default of such payment, the several tracts of land upon which said assessment (or installment) remains unpaid will be sold, according to law, to pay the amount of such assessment (or installment) and costs.

"Dated this.....day of....., 18.....

"....., Commissioners."

"And in case the assessments made are ordered by the county court to be paid in installments, said commissioners shall give a like notice, as near as may be, of any installment or installments, immediately after such installment or installments become due and payable."

§ 5. And that section thirty-four (34) of the act aforesaid, to which this act is an amendment, be and the same is hereby so amended as to read as follows:

"Section 34. If the assessment or any installment or installments thereof, due upon said lands, shall not be paid on or before the day named in the notice given as in section thirty-three (33) of this act, it shall be the duty of said commissioners, if they have not appointed a collector as aforesaid, and if so, then of said collector, to make out a certified list of such delinquent lands upon which the assessment or any installment remains unpaid, and the same shall be by him or them, on or before the tenth day of March next after the same have become payable, returned to the county collector of the county or counties in which said lands shall lie, and when the same shall lie in different counties, a separate return shall be made for each county of the delinquent lands therein; and

it shall be the duty of the collector to whom any such returns have been made, to transfer such returns to the tax books in his hands, setting down therein, in proper order, the several tracts or lots so returned, and setting opposite to the respective tracts or lots, in proper columns prepared for that purpose, the amount of assessment, installment or installments against each lot or tract, and the like proceeding shall be had, and with the like force and effect, in the collection of such delinquent assessments or assessment or installment unpaid, with interest, and the sale of said land for non-payment thereof, as in ordinary collections of state and county taxes by county collectors and of sales of real estate by them for such non-payment, and of redemption from such sales. Nothing in this act contained shall be construed to affect or impair any assessment or return of lands delinquent for assessment heretofore made under any law of this state."

§ 6. That section thirty-seven (37), of the act aforesaid, to which this act is an amendment, be and the same is hereby so amended as to read as follows:

"Section 37. Said commissioners may use money arising from the collection of assessments, or coming into their hands as such commissioners, for the purpose of compromising suits and controversies arising under this act, and in the employment of all necessary agents and attorneys in the prosecution or defense of said operations, and for the purpose of constructing or repairing, or aiding in the construction or reparation of any work, whether inside or outside of the district, necessary to the protection of the lands within such district: *Provided*, that the commissioners shall use such money under the direction and approval of the court; and an additional or second assessment may be levied on the lands within any district, whenever it shall become necessary, for the construction of any additional work or the completion of any work already commenced, to insure the protection of the lands in said district, under the order and direction of the county court, or justice of the peace if the original proceedings shall be before a justice of the peace, on the petition of a majority of the owners of lands within said district who are of lawful age and represent at least one-third in area of such lands, or on the petition of the commissioners, and with like notice and proceedings, as near as may be, as in cases of original assessments of damages and benefits under the act to which this is an amendment, and such additional assessments, when made, shall have the same force and effect and be collected in the same manner as original assessments."

§ 7. That section thirty-eight (38) of the act aforesaid, to which this act is an amendment, be and the same is hereby so amended as to read as follows:

"Section 38. The commissioners may borrow money, not exceeding in amount the amount of assessment unpaid at the time of borrowing, for the construction of any work which they shall be authorized to construct, or for the payment of any indebtedness they may have lawfully incurred under the provisions of this act, or the act to which this is an amendment, and may secure the same by notes or bonds, bearing interest at the rate of not exceeding six per cent.

per annum, and not running beyond one year after the last assessment on account of which the money is borrowed shall fall due, which notes or bonds shall not be held to make the commissioners personally liable for money borrowed, but shall constitute a lien upon the assessment for the repayment of the principal and interest thereof, and the county court may, on the petition of the commissioners, authorize them to refund any lawful indebtedness of the district authorized by and created under this act, or the act to which this is an amendment, by taking up and canceling all outstanding notes and bonds of such district, issued under this act or the act to which this act is an amendment, as fast as they become due, or before they shall become due, if the holders thereof will surrender the same, and to issue, in lieu thereof, new notes or bonds of such district, payable on such longer time as the commissioners shall think proper, not to exceed in the aggregate the amount of all notes and bonds of such district then outstanding, and the unpaid accrued interest thereon; and the court shall have power, on the petition of the commissioners, to order that the collection of any one or more or all of the installments of the assessments for benefits on account of which the money was borrowed, be postponed to such time as the court may consider proper and reasonable, when the same shall become due and payable; and such installment or installments, so postponed, shall bear interest, until they shall become due, at the rate of eight (8) per cent. per annum, unless otherwise ordered by the court, but after they become due, they shall bear interest at the rate of eight per cent. per annum, as provided in the act to which this act is an amendment: *Provided*, that such bonds and notes shall be made due and payable within one year after the last installment of the assessment postponed as aforesaid shall become due. The court shall have power to make all needful orders to carry into effect the provisions of this act."

§ 8. That said act to which this act is an amendment be and the same is hereby further amended by adding to the said act, to which this act is an amendment, another section, to be numbered section forty-three and one-half (43½), as follows:

"Section 43½. At any time before the contract shall have been made for the construction of any drain, ditch, levee or other work provided for in the report of the commissioners, or the order of the court made in pursuance thereof, which is sought to be abandoned as hereinafter provided, upon petition of the majority of the adult land owners of the district representing one-third of its area, the county court may, if upon due inquiry it shall be satisfied that justice towards all the land owners of said district require it, direct the commissioners to abandon any drain, ditch, levee or other work, or any part thereof, mentioned in such report or order. Upon the filing of any such petition, it shall be set down for hearing by the court, and notice of the filing of such petition, and of the nature of the relief sought by the petitioners, shall be given for the length of time and in the manner (so far as applicable to the nature of the proceeding) required by section three (3) of the act to which this is an amendment. The court may, for good cause, after proof of notice as aforesaid, continue the

hearing of such application from time to time, and any person or persons interested may appear and resist such application; and the court, after full hearing of all material facts pertaining thereto, may make such order in the premises as shall appear to the court to be just. If the court shall determine that any portion of the proposed work shall be abandoned, it shall ascertain to what extent the cost of said proposed works will be diminished thereby, and if the assessments for benefits shall have been made, such portion of said assessments shall be abated in such uniform proportion as such change of plans shall render unnecessary for the completion of such works according to such modified or altered plans; and if any lands shall have been assessed by the commissioners which, on account of such change of plans, will be wholly deprived of the benefits contemplated in the original plans, the court shall order that the entire assessments against such lands be abated. If such order shall be made after the assessment shall have been collected, the court shall order such proportion of said assessments as may be abated to be refunded to the persons who may have paid the same, or their lawful representatives, and for non-compliance with such order the collector or collectors, and the treasurer of said district, respectively, and their sureties, shall be liable upon their respective bonds. And the court may make any other or further order in pursuance of the objects of this section of this act, as justice to all persons whose interest may be affected by it may require. And at any time before the contract for the construction of the proposed works shall have been made, upon presentation to the county court of a petition, signed by owners, not less than two-thirds in number, and owning more than one-half in area of lands assessed for benefits in the district to which the petitioners belong, whose aggregate assessments amount to not less than one-half the cost of the proposed works, and all debts and expenses incurred up to the time of filing such petition, praying that the whole system of proposed works may be abandoned and the district abolished, the court shall enter upon its records an order granting the prayer of such petition, upon condition that the petitioners pay all costs, and the debts and expenses aforesaid, within ten (10) days from the rendition of such order, the amount of such costs, debts and expenses to be fixed and determined by the court, and made a part of said order. If such petitioners fail to comply with such order, it shall be considered, after the expiration of said ten (10) days, as of no force or effect whatever. If a district be abolished under this section, assessments collected shall be refunded to the persons who have paid the same, or their representatives. All of the provisions of this act shall apply, so far as the same can be applied, to all drainage districts heretofore organized under the jurisdiction of justices of the peace, in pursuance of the provisions of the act to which this act is an amendment."

§ 9. Whereas, districts heretofore organized are unable fully to reclaim their lands under the present laws, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 19, 1881.

LEGALIZATION OF DRAINAGE DISTRICTS WHERE BOUNDARIES HAVE BEEN CHANGED.

§ 1. Districts legalized where boundaries have been changed.

§ 2. Assessments confirmed in case above.

In force July 1, 1881.

AN ACT to legalize drainage districts organized in pursuance of the act therein named, and to legalize the assessment of benefits in such districts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases of the organization of drainage districts under the provisions of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, where, by order of the court to whom the petition for such organization was presented, the boundaries of such districts have been changed so as to deviate from the description set forth in said petition, such districts shall be held to have been and to be legally organized and to be drainage districts, with boundaries as defined in said orders, for all purposes contemplated in said act and the act of the Thirty-second (32d) General Assembly amendatory thereof.

§ 2. That in any drainage district organized as aforesaid, wherein the jury have assessed the full amount of benefits against each tract of land of such district found by them to be liable to assessment for benefits, instead of assessing against each tract its proportionate share of the estimated cost of the work, and expenses of the proceeding, as provided in section eighteen (18) of said act, so much of such assessment as exceeds the estimated cost of the work and expenses of the proceeding is hereby remitted, and the said assessment is hereby legalized as to the proportion thereof not remitted as aforesaid, and to that extent shall be deemed and held to be a valid assessment to all intents and purposes, and each tract of land subject thereto to the extent of its proportion thereof; *Provided*, in any case of appeal from any such assessment now pending, the persons prosecuting the same shall not be precluded from procuring such reduction of the amount assessed against him or her, as they might have procured if such assessment had been made upon a correct basis.

APPROVED May 24, 1881.

## DRAINAGE.

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| <p>§ 1. Amends certain sections of the act of 1879, as follows:</p> <p>§ 3. Districts, how organized—Petition.</p> <p>§ 9. Completion of organization of district—Boundaries.</p> <p>§ 12. Right of way—Damages—Jury—notice to owners—Form—Service.</p> <p>§ 13. Trial—Verdict—Transcript of proceedings.</p> <p>§ 16. Objections heard—Notice—Non-residents.</p> <p>§ 33. Bridges and culverts—Railroads—Notice.</p> <p>§ 34. Sub-districts—Organization.</p> <p>§ 35. Drainage outside of district, connecting lateral drains.</p> | <p>§ 51. Special districts—Petition for organizing.</p> <p>§ 53. Election of commissioners in special districts.</p> <p>§ 54. Judges of election—Eligibility—Cavass—Term.</p> <p>§ 55. Oath—Treasurer—Bond—Term of office—Duties.</p> <p>§ 57. Appeals.</p> <p>§ 69. Ditches used by others—Compensation.</p> <p>§ 70. Joint ownership.</p> <p>§ 71. Saving clause—Sec. 69 repealed.</p> <p>§ 2. Emergency.<br/>In force May 24, 1881.</p> |
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AN ACT to amend section three (3), nine (9), twelve (12), thirteen (13), sixteen (16), thirty-three (33), thirty-four (34), thirty-five (35), fifty-one (51), fifty-three (53), fifty-four (54), fifty-five (55) and fifty-seven (57), and to repeal section sixty-nine (69) of an act entitled "An act for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, and to add three (3) new sections, amendatory of last said act, to enable lands to be drained and protected from overflow, to be known as sections sixty-nine (69), seventy (70) and seventy-one (71).

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections three (3), nine (9), twelve (12), thirteen (13), sixteen (16), thirty-three (33), thirty-four (34), thirty-five (35), fifty-one (51), fifty-three (53), fifty-four (54), fifty-five (55) and fifty-seven (57) of an act entitled "An act for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows, and that there be added to said act sections sixty-nine (69), seventy (70) and seventy-one (71):

"Section 3. The following proceedings shall be taken for the purpose of organizing a drainage district: A petition shall be presented to the town clerk, signed by a majority in number of the adult owners of lands lying in said proposed district, and they shall be the owners in the aggregate of more than one-third of the lands lying in said district, setting forth the boundaries of said district, giving the numbers of sections or fractional parts thereof. Said petition shall state that the lands lying within the boundaries of said proposed district require a combined system of drainage or protection from wash or overflow; that the petitioners desire that a drainage district may be organized, embracing the lands therein mentioned, for the purpose of constructing, repairing or maintaining a drain or drains, ditch or ditches, embankment or embankments, grade or grades, or all or either, within said district, for agricultural, sanitary or mining purposes, by special assessments upon the property benefited thereby.

Said petition shall be accompanied by a bond to the drainage commissioners signed by at least two (2) responsible persons, conditioned for the payment of all costs occasioned by said proceedings in case said district shall not be organized."

"Section 9. At the time appointed for the adjourned meeting, the commissioners shall meet and examine the map and report of the engineer, if any engineer shall have been employed, and said commissioners shall have power to change the boundaries of such proposed district from the boundaries given in the petition, so as to take in land not embraced or exclude lands taken into said proposed district, and shall permit additional signatures to be made to the petition by any adult person or persons owning land in, or owning land desired to be taken into such proposed district, to the end that a majority of the adult owners of land in the district as finally to be organized, and who shall be the owners in the aggregate of more than one-third ( $\frac{1}{3}$ ) of such land, shall have signed the petition, which facts said commissioners shall find and put such finding in writing, and the same shall be filed and the clerk shall enter the same in his record, which finding shall be conclusive. And said commissioners may adjourn the meeting provided for in this section, not less than five (5) days at a time, and not more than fifteen (15) days in all, for the purpose of making the necessary examinations and findings, and the clerk shall give notice of any such adjournment; and if, from their own examination, and said map and report, if any there be, it shall appear that the lands included in the proposed district will be benefited for agricultural, sanitary or mining purposes by the construction of a drain, or a combined system of drainage, they shall so find, unless they shall find, from the evidence of witnesses then introduced, that the cost of the proposed work will exceed the benefits to be derived therefrom. And should they find in favor of the petitioners, or should a two-thirds ( $\frac{2}{3}$ ) majority of the owners of land owning more than one-half ( $\frac{1}{2}$ ) of the lands lying in said proposed district still desire the formation of said district, and such desire shall be evidence by a failure to withdraw their signatures from the petition, the commissioners shall enter on their record an order in writing organizing said drainage district, and such district shall thereupon be declared fully organized. Each district shall be designated by a number, as drainage district No. . . . ., in . . . . . township, . . . . . county, and state of Illinois. And when the commissioners shall have organized said district, they shall cause a map thereof, showing the boundaries thereof, to be made, and the same shall be filed with the other papers in the case; and at any time prior to the making of assessments for benefits, the commissioners may alter the boundaries of any district proposed or organized, or hereafter proposed or organized, in the manner and subject to the conditions provided in this act and the act to which this is an amendment, and shall make orders and findings accordingly; and this section shall apply to drainage districts organized under this law, of which this act is an amendment, as far as the same can be made applicable. And in case it is proposed to change the boundaries of any district after the same is organized, and before the assessments are made in the same, it shall be done on the petition of a majority of the number

of the adult owners of the land, and who own in the aggregate more than one-third ( $\frac{1}{3}$ ) thereof in the district as finally changed, and the signing of any petition referred to in this act shall be taken as conclusive against the person so signing that they have accepted the provisions of this act and of the act to which this is an amendment, as to their assessments of benefits and damages thereunder."

"Section 12. Should the commissioners be unable to procure the right of way by agreement with the owner or owners of any lands over which the work may be located, they shall file a statement in writing with some justice of the peace in the vicinity, requesting him to issue a *venire* for a jury, to assess the damages in such case or cases; and it shall thereupon be the duty of the justice to issue a *venire* for a jury of six (6) disinterested freeholders, to appear at his office at a day and hour therein named, not less than five (5) nor more than fifteen (15) days from the filing of such statement with the justice, for the purpose of assessing the damages in the case or cases mentioned. The justice shall cause a notice a notices in writing to be served upon the owner or owners of the lands in question, informing him or them of the time and place when the said case or cases will be tried. Said notices may be substantially in the following form:

"To A. B.: You are hereby notified that a jury has been called to meet at my office, in .....township, .....county, on the.....day of.....A. D. 18..... at .....o'clock.....M., for the purpose of assessing damages in the matter of the drainage commissioners of..... township, .....county, against you; when and where you can appear and assert your rights in the premises, if you desire.

"C. S..... J. P.

"Said notice shall be served by a constable, not less than three (3) days nor more than fifteen (15) days before the time fixed for trial, in the same manner and with like effect as process in civil cases, and his return thereon shall show the manner such service was made, and for such service he shall be allowed the same fees as for service of process in civil cases: *Provided*, that where it shall be made to appear that any of such owners are non-resident, or unknown, notice of such proceeding shall be given by publication in some newspaper published in said county, two (2) successive weeks prior to the time of such hearing, which notice shall be substantially in the form given above; and if any such owner shall be a minor, such notice shall be served upon him and also upon his guardian, if he shall have one who is a resident of this county: *Provided, further*, that in any case where the commissioners certify that the damages will probably exceed two hundred dollars (\$200), the proceedings shall be begun in the county court."

"Section 13. When the jury shall appear, as provided in the foregoing section, the trial shall be conducted as other cases before a justice of the peace or county court, as the case may be. Either party may have the same number of challenges, and for the same causes, as in other cases before justices of the peace or the county court, as the case may be, and if notice shall not have been given according to law, or for any other good cause, the court may continue the case from time to time, till proper notice shall have been given, or the case is ready for trial. The jury shall hear the evidence offered in the case as to the value of the land proposed to be taken, and all damages consequent upon the construction of the proposed work, and may go upon the premises for the purpose of

viewing them; and they shall return as their verdict the amount of damages found, if any, in favor of the owner or owners and against the commissioners, and the justice of the peace or county judge shall enter judgment for the amount of such verdict, which judgment shall be final and conclusive. Vacancies in the panel of jurors, from whatever cause, shall be filled the same as vacancies in other cases, but vacancies shall, in all cases, be filled by freeholders, and the same jury shall hear and determine all cases for which the *venire* was issued, and shall return separate verdicts as to each owner or joint owners; and the justice or judge shall thereupon file, in the office of the clerk of the drainage commissioners, a certified transcript of the proceedings before him in each case."

"Section 16. The commissioners shall cause to be personally served upon all parties owning land to be affected by the proposed work, and residing in the county, a written or printed notice of the time when, and place where, they will meet to hear any and all objections that may be made to their special assessments for benefits, which notice shall be served, in case of residents in the county, not less than three (3) days before the time set for hearing, by delivering a copy thereof to the party to be served; and the commissioners shall cause to be sent, by mail, such notice to all owners who do not reside in the county, whose land is to be affected, in case their postoffice address is known to commissioners, or any of them, or can be ascertained by use of reasonable diligence; and in case the land of any non-resident is to be affected, then publication shall be made in some newspaper published in said county for three (3) successive weeks prior to the time of such hearing, and such meeting to hear objections may be adjourned from day to day by public announcement of the commissioners, made at the meeting, until all objections are heard; and all persons duly notified of the first day of meeting, as hereinbefore provided in this section, shall take cognizance of all such adjournments without further notification."

"Section 33. The commissioners shall have power and are hereby required to make all necessary bridges and culverts in any public highway for the protection of ditches made hereunder, which bridges and culverts, and the cost of such portion of the drain or ditch lying in such highway, shall be paid for out of the road and bridge tax. Whenever, in the construction of any drain or ditch, it shall be necessary that the same shall be constructed across the right of way of any railroad company, such portion of such drain or ditch lying on such right of way shall be constructed by such railroad company. And should any such railroad company refuse or neglect to construct such drain or ditch for a period of thirty (30) days, after notice given in writing by the commissioners, then the commissioners shall be authorized to construct such drain or ditch across such right of way, and may collect the necessary cost thereof by suit against said company, in any court of competent jurisdiction."

"Section 34. During the progress of the work, or at any subsequent time, the commissioners, when petitioned to create a sub-district (within any district organized as aforesaid) for the purpose of constructing any drain or drains, grade or grades, embankment or embankments, lateral drain or drains, for the further reclamation

of lands within such sub-district, by special assessment of the property benefited thereby, shall be governed by the provisions of this act and the act to which this is an amendment, which are applicable thereto; but this section shall not be construed as preventing the commissioners from causing to be constructed, from time to time, proper ditches and embankments anywhere in the main district, until all the land thereof is properly drained and protected, which they may do by special assessments on all the land in the main district benefited by such improvement, which additional improvements they shall always undertake on a petition of a majority of the adult owners of land in such district, and shall always be governed by the general provisions of this act and the act to which this act is an amendment, in respect to damages, right of way, and assessments for benefits, and in all other respects wherein the same is applicable. And in case of drainage districts organized or petitioned for, lying adjacent to each other, the commissioners and authorities of the respective districts shall have power to adjust, by agreement together, any question of right and justice, with respect to either district, or any owner of land in either, satisfactory to the parties concerned, and not inconsistent with this act or the act to which this act is an amendment."

"Section 35. Nothing in this act shall be construed to forbid or prevent the drainage of any lands, the drainage of which would require to be conducted to the same outlet through which the waters of any ditch constructed under this act shall flow; and the owner of such lands shall have the right to construct and maintain all such lateral ditches over and across any land intervening between such tract to be drained and the main ditch or outlet: *But, provided, further,* that any land lying outside of the drainage district as organized, the owner or owners of which shall thereafter make connection with the main ditch or drain, or any ditch or drain within the district as organized, shall be deemed to have made voluntary application to be included in such drainage district, and such land shall be included in such drainage district, and assessed with its fair proportion of the costs of the ditches or drains or other works, to be determined by said commissioners under the provisions of this act and the act to which this is an amendment."

"Section 51. Should the court find against the petitioners, it shall enter an order to that effect, and the petition shall thereupon be dismissed at the cost of the petitioners. Should the court find in favor of the petitioners, it shall enter an order to that effect, and it shall thereupon be the duty of the court to appoint three drainage commissioners for said district, who shall at once proceed to the examination, survey and organization of said district in all matters, as provided in sections eight (8) and nine (9) of the act to which this is an amendment; and the clerk shall give notice of the time when and place where the commissioners will meet to complete the organization of such district, which time shall not be more than thirty (30) days subsequent to the date of the appointment of such commissioners. At the meeting for completing the organization of such district, the proceedings shall in all respects, so far as the same are applicable and not otherwise provided for in this act, conform to the requirements of the act to which this is

an amendment, as set forth in the matter of the formation of districts lying wholly within a township. Upon the filing of the order of the commissioners declaring such district organized, the clerk shall enter the same of record, and said district shall thereupon be deemed fully organized."

"Section 53. So soon as a special drainage district has been organized, it shall be the duty of the county clerk, who shall be the clerk of the commissioners thereof, to give notice, by posting written or printed notices in at least six (6) public places in said district, that on a day therein named, and at an hour not later than two (2) o'clock P. M., not less than ten (10) days from the date of notice, at a place in said notice designated, an election will be held for the purpose of electing three (3) drainage commissioners for said district.

"Section 54. In all elections held for the election of drainage commissioners, the drainage commissioners then in office shall be the judges of election; and, in the absence of any of them, the electors present may choose a person or persons to fill the vacancy or vacancies. The judges shall choose one of their number to act as clerk. Every adult owner of land in the district, whether residing within or without the district, shall be a voter and eligible to the office of drainage commissioner. The election shall close at four (4) o'clock P. M., unless the judges of election shall determine that it is proper to hold the polls open until six (6) o'clock P. M., to accommodate the voters. The judges of election shall canvass the votes at the close of the election, and the three (3) persons, or so many persons as there are vacancies to be filled, having the highest number of votes shall be declared elected. In case of a tie, the judges shall determine by lot who is elected, and they shall also determine by lot their respective terms of office, one of whom shall serve for one (1) year, one for two (2) years, and one for three (3) years, or such parts thereof as may expire upon the election of their successors, respectively, at the annual meeting, which shall be held each year on the first Saturday of September, when there shall be elected one (1) drainage commissioner, to hold his office for three (3) years and until his successor is chosen and qualified. In case of a vacancy in the office from resignation, death, removal or refusal to serve, the commissioners in office shall fill the vacancy, by appointment, until his successor shall be chosen at an annual meeting and qualified. Within ten (10) days after every election of drainage commissioners, the judges of election shall cause the poll book to be delivered to the county clerk, with a certificate thereon showing the names of those elected drainage commissioners, and the terms of each. The poll book shall be filed by the county clerk, and be evidence of such election. Each commissioner shall, within ten (10) days after his election or appointment, take an oath to faithfully discharge the duty of his office as drainage commissioner, which oath shall be signed by him and filed in the office of the clerk.

"Section 55. Said commissioners shall thereupon each take an oath to faithfully discharge the duties of his office as drainage commissioner, which oath shall be signed by him and filed in the office of the clerk. They shall then appoint some person, who shall be

an owner of real estate in such district and a resident of the county in which the drainage district or a part thereof shall be located, as treasurer, who shall give bond to the commissioners in such sum as shall be fixed by them, not less than double the amount likely to come into his hands in any one (1) year, which bond shall be signed by at least two responsible securities, and approved by the commissioners, and filed in the office of the clerk. He shall hold his office for two (2) years, but may be removed by the commissioners at any time for cause. He shall have like powers and perform the same duties herein provided for other treasurers of drainage districts. He shall pay out moneys only on orders signed by the commissioners or a majority of them."

"Section 57. Appeals from the orders of the commissioners of special drainage districts confirming special assessments, shall be filed with the clerk of the county in which the proceedings originated; and if the county is under township organization, the clerk shall summon any three (3) supervisors of the county to hear the appeal. If the county is not under township organization, then the board of appeal provided for such counties by the act to which this is an amendment, shall constitute the board of appeal, and be notified by the clerk. The time, manner, trial and effect of the appeal, and the decision of the appeal board, shall, except as provided in this act, conform, as near as possible, to the provisions relating to appeals in township districts in the act to which this is an amendment."

"Section 69. Whoever has opened or may hereafter open, or shall allow to remain open, any drain or ditch into the drain or ditch of another, shall be liable to pay to the owner or owners of such original drain or ditch a just and reasonable sum for such privilege, to be recovered in an action at law in any court of competent jurisdiction in this state; and in determining the amount of damages to be recovered, the court shall take into consideration the cost of such original drain or ditch, together with the cost of the drain or ditch of defendant, and the benefits which accrue to the defendant in such action by reason of the opening or connecting of his drain or ditch into or with such original drain or ditch, as aforesaid, the same as though all of said drains or ditches formed a combined system of drainage within a drainage district duly organized.

"Section 70. Two (2) or more owners of any drain or drains, ditch or ditches, which have been opened or constructed, or may hereafter be opened or constructed, through or upon their respective tracts of land, so as to form a continuous outlet for water, may jointly maintain an action against any person or persons who shall open or allow to remain open any drain or ditch into such original drain or drains, ditch or ditches, belonging to such owners as aforesaid, in the same manner that one (1) person may maintain such action, as provided in section two (2) of this act.

"Section 71. This act shall not be construed to repeal or interfere with the execution and enforcement of other laws on the subject of drainage or levees and drains passed by this general assembly. The provisions of this act shall not be construed as affecting any rights that have accrued, or any cause of action pending or existing at the time of going into effect of this act. And all drainage districts

organized or partly organized under the act of which this act is an amendment, and all persons interested in any such district as owners of land therein or adjacent thereto, or as officers thereof, or in any way, shall have all the benefits, rights and powers conferred by this act, the same as any district hereafter organized or petitioned for. Section sixty-nine (69) of the act to which this act is an amendment is hereby repealed."

§ 2. Whereas, an emergency exists, by reason of the inadequacy of existing laws for drainage purposes, this act shall be in force from and after its passage.

APPROVED May 24, 1881.

## ELECTIONS.

### COUNTY OFFICERS.

§ 1. Fixes times of elections for judges, clerks, sheriffs, treasurers, surveyors, superintendents of schools, and state's attorneys.

In force July 1, 1881.

AN ACT to amend sections sixteen (16), seventeen (17), nineteen (19), twenty-one (21), twenty-two (22) twenty-three (23) and twenty-four (24) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* sections sixteen (16), seventeen (17), nineteen (19), twenty-one (21), twenty-two (22), twenty-three (23) and twenty-four (24) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, be amended so as to read as follows:

"Section 16. The county judges and county clerks shall be elected on Tuesday next after the first Monday of November, 1882, and every four years thereafter, and shall enter upon the duties of their offices on the first Monday of December after their election.

"Section 17. The sheriffs shall be elected on Tuesday next after the first Monday of November, 1882, and every four years thereafter, and shall enter upon the duties of their offices on the first Monday of December after their election; and coroners shall be elected on Tuesday next after the first Monday of November, 1882, who shall hold their offices two years, and on Tuesday next after the first Monday of November, 1884, and every four years thereafter, there shall be elected a coroner in each of the counties of this state, and they shall enter upon their offices on the first Monday of December after their election."

“Section 19. The clerk of the superior court of Cook county shall be elected on Tuesday next after the first Monday in November, A. D. 1884, and every four years (4) thereafter, and shall enter upon his office on the first Monday of December after his election.”

“Section 21. The county treasurers shall be elected on Tuesday next after the first Monday of November, 1882, and every four (4) years thereafter; they shall enter upon their offices on the first Monday of December after their election.

“Section 22. A county surveyor shall be elected in and for each county on Tuesday next after the first Monday of November, in the year 1884, and every four (4) years thereafter, and shall enter upon his office on the first Monday in December after his election.

“Section 23. The county superintendents of schools shall be elected on Tuesday next after the first Monday of November, 1882, and every four years thereafter; they shall enter upon their offices on the first Monday of December after their election.

“Section 24. A state’s attorney shall be elected in each county on Tuesday next after the first Monday of November, 1884, and every four years thereafter, and shall enter upon his office on the first Monday in December after his election.”

APPROVED May 10, 1881.

#### FEEES IN HANDS OF OFFICERS.

- § 1. Clerk of courts and sheriff required to turn over to county treasurer all fees at expiration of term of office.
- § 2. County treasurer receipt for same, and keep register thereof.
- § 3. Clerks shall give certificate to parties entitled to fees.

- § 4. Fees not called for forfeited to county.
  - § 5. Penalty for refusing to pay over fees.
- In force July 1, 1881.

AN ACT *in relation to costs and fees remaining in the hands of clerks of courts of record and sheriffs at the expiration of their terms of office.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the clerk of any court of record or sheriff of any county in this state shall, at the expiration of his term of office, pay to the treasurer of the county in which his court is held all costs and fees collected and remaining in his hands, together with a statement of names of persons and amount due to each: Provided, however, that nothing in this section shall apply to any costs and fees of such clerk or sheriff, and belonging to him.*

§ 2. The county treasurer shall receive said fees and costs, and shall keep in a book for that purpose a record of the time of the receipt thereof, the amounts paid in, and the names of the persons to whom the same are due; and the treasurer shall pay to the persons legally entitled thereto all such costs and fees upon application therefor. He shall cause to be made in said books an entry of the time and the person to whom all such costs and fees are paid, and shall take and preserve receipt therefor.

§ 3. It shall be the duty of all clerks of courts of record, upon application, to give to any person a certificate showing the amount of costs and fees due such person, and the names of the parties to any suit or proceeding in which the same are taxed.

§ 4. In case any such costs and fees shall not be claimed by the person entitled thereto within five (5) years from the time the same are deposited with the county treasurer, the same shall be returned to the party paying the same; and in case the party so paying shall not claim said costs and fees within ten (10) years from the time they shall be so deposited with the county treasurer, the same shall be deemed forfeited to the county: *Provided, however,* that if any person so entitled shall be under legal disability, the time herein limited shall not begin until such disability ceases.

§ 5. Any clerk or sheriff, as aforesaid, who shall refuse or neglect to pay over and make statement of the fees enumerated in section one (1) of this act, shall be held to be guilty of a misdemeanor, and, upon conviction, shall be fined in a sum of twice the amount of the fees so retained and not reported, to be recovered in any court of competent jurisdiction: *Provided,* nothing contained in this section shall be construed to release such clerk or sheriff, or his sureties, from any civil action on his official bond.

APPROVED May 28, 1881.

## FORCIBLE ENTRY AND DETAINER.

### POSSESSION RESTORED—WHEN.

§ 1. Defines how lands and tenements may be restored to persons entitled to possession, as follows:

- ¶ 1. When forcible entry is made.
- ¶ 2. When peaceable entry is made.
- ¶ 3. When entry is made into unoccupied property.

- ¶ 4. When lessee holds possession.
- ¶ 5. When vendee holds possession.
- ¶ 6. When conveyed by grantor, or sold under judgment or decree.

In force July 1, 1881.

AN ACT to amend section two (2) of an act entitled "An act in regard to forcible entry and detainer," approved and in force February 16, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of an act

entitled "An act in regard to forcible entry and detainer," approved and in force February 16, 1874, be and the same is hereby amended so as to read as follows:

"Section 2. The person entitled to the possession of lands or tenements may be restored thereto in the manner hereafter provided:

"*First*—When a forcible entry is made thereon.

"*Second*—When a peaceable entry is made, and the possession unlawfully withheld.

"*Third*—When entry is made into vacant or unoccupied lands or tenements without right or title.

"*Fourth*—When any lessee of the lands or tenements, or any person holding under him, holds possession without right, after the determination of the lease or tenancy by its own limitation, condition or terms, or by notice to quit, or otherwise.

"*Fifth*—When a vendee, having obtained possession under a written or verbal agreement to purchase lands or tenements, and having failed to comply with his agreement, withholds possession thereof after demand in writing by the person entitled to such possession.

"*Sixth*—When lands or tenements have been conveyed by any grantor in possession, or sold under the judgment or decree of any court in this state, or by virtue of any sale in any mortgage or deed of trust contained, and the grantor in possession, or party to such judgment or decree or to such mortgage or deed of trust, after the expiration of the time of redemption, when redemption is allowed by law, refuses or neglects to surrender possession thereof after demand in writing by the person entitled thereto, or his agent."

APPROVED May 18, 1881.

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## GARNISHMENT.

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### AMENDS ACT IN REGARD TO RETURNS OF WRIT.

§ 1. Amends section 4 of act of 1872—Process: how issued and returned—Fees of officer serving. In force July 1, 1881.

AN ACT to amend section four (4) of an act entitled "An act in regard to garnishment," approved March 9, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section four of an act entitled "An act in regard to garnishment," be amended so as to read as follows:

"Section 4. If such process is issued by a justice of the peace, it shall be made returnable within the same time and served in the same manner as other summonses issued by justices of the peace: *Provided,* that in all cases, the person or persons for whose use such garnishee summons is issued shall advance through the con-

stable, or other officer serving the same, to the person or persons so summoned as garnishee or garnishees, the sum of one dollar for each person so summoned, and, in addition, five cents per mile for each and every mile of necessary travel to and from the office of such justice of the peace, and the constable, or other officer making such service, shall show by his return the fact of the payment of such fee and mileage, and such fee and mileage shall be taxed as other costs in the case: *Provided*, that in all cases where the person or persons so summoned shall refuse or fail to appear at the time and place specified in such summons, the justice before whom such process is returnable shall render a judgment against the person or persons so summoned, for the amount of fees and traveling expenses which have been tendered and received under the provisions of this section, in addition to the amount found to be due from the person or persons so garnisheed."

APPROVED May 31, 1881.

## GUARDIANS AND WARDS.

### LEGAL PROCEEDINGS IN BEHALF OF WARDS.

§ 1. Amends section 18, act 1872, by adding proviso, permitting next friend to commence suit for minor, on entering into bonds for costs.

In force July 1, 1881.

AN ACT to amend section eighteen (18) of an act entitled "An act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section eighteen (18) of an act entitled "An act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, be and the same is hereby so amended as to read as follows:

"Section 18. He shall appear for and represent his ward in all legal suits and proceedings, unless another person is appointed for that purpose, as guardian or next friend; but nothing contained in this act shall impair or affect the power of any court or justice of the peace to appoint a guardian to defend the interest of a minor impleaded in such court, or interested in a suit or matter therein pending, nor their power to appoint or allow any person as next friend for a minor to commence, prosecute or defend any suit in his behalf: *Provided*, that any suit or proceeding may be commenced and prosecuted by any minor by his next friend, without any previous authority or appointment by the court, on such next friend entering into bond for costs, and filing the same in the court in which, or with the justice of the peace before whom, such suit or proceeding is instituted."

APPROVED April 27, 1881.

## INSURANCE.

§ 1. Who may incorporate and for what purpose.

§ 2. Applies to companies heretofore organized.

AN ACT to amend sections one (1) and two (2) of "An act to amend section (1) of an act entitled 'An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the state of Illinois,' approved March 11, 1869, and to fix the liability of certain insurance companies organized under said act," approved May 31, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections one (1) and (2), of an act entitled "An act to amend section one (1) of an act entitled 'An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the state of Illinois,' approved March 11, 1869, and to fix the liability of certain insurance companies organized under said act," approved May 31, 1879, be amended so as to read as follows:*

"Section 1. That any number of persons, not less than thirteen (13), may associate and form an incorporated company for the following purposes, to-wit: To make insurance on dwelling houses, stores, and all kinds of buildings, and upon household furniture and other property, against loss or damage by fire, lightning and tornadoes, or either or any of said causes, and the risks of inland navigation and transportation. Any and all insurance companies hereafter incorporated under the provisions of this act, which shall, in the declaration and charter provided to be filed, have expressed an intention to make insurance, or shall have power to make insurance against loss or damage by the risks of inland navigation or transportation, shall have power to make insurance upon vessels, boats, cargoes, goods, merchandise, freights, and other property, against loss and damage by all or any of the risks of lake, river, canal and inland navigation and transportation.

"Section 2. Any company heretofore incorporated under the provisions of said act, or the act of which said act was an amendment, which shall in the declaration and charter, filed in accordance with the provisions of said act approved March 11, 1869, or said act approved May 31, 1879, have expressed an intention to make insurance against loss or damage by fire, or by fire and lightning, is hereby authorized to insure against loss by fire, lightning, and tornadoes, or either or any of said causes; and in all cases wherein any such company has heretofore insured against loss or damage from either, any, or all of said causes, such insurance shall be binding on such company."

APPROVED May 25, 1881.

## MANAGEMENT OF FUNDS OF MUTUAL COMPANIES.

§ 1. Notes deposited with mutual companies as security—Directors or trustees to determine amount of note to be given—Liability of persons effecting insurance.

In force July 1, 1881.

AN ACT to amend section thirteen (13) of "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the state of Illinois," approved March 11, 1869. in force July 1, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section thirteen of "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the state of Illinois," approved March 11, 1869, in force July 1, 1869, be so amended as to read as follows:*

"Section 13. All notes deposited with any mutual insurance company at the time of its organization, as provided in section six (6), shall remain as security for all losses and claims, until the accumulation of premium notes and assets, invested as required by the eighth (8) section of this act, shall equal the amount of cash capital required to be possessed by stock companies organized under this act, the liability of each note decreasing porportionately as the profits are accumulated; but any note which may have been deposited with any such mutual insurance company subsequent to its organization, in addition to the cash premium, or any insurance effected with such company, may, at the expiration of the time of such insurance, be relinquished and given up to the maker thereof, or his representative, upon his paying his proportion of all losses and expenses which may have accrued thereon during such term. The directors or trustees of any such company shall have the right to determine the amount of the note to be given, in addition to the cash premium, by any person insured in such company; but in no case shall the note be more than five times the annual rate charged such persons by such companies. And every person effecting insurance in any mutual company organized under this act, and also their heirs, executors, administrators and assigns, continuing to be so insured, shall thereby become members of said corporation during the period of insurance, and shall be bound to pay for losses and such necessary expenses as aforesaid, accruing in and to said company, in proportion to the amount of his deposit note or notes. The directors shall, as often as they deem necessary, after receiving notice of any loss or damage by fire sustained by any member, and ascertaining the same, or after the rendition of any judgment against such company for loss or damage, settle and determine the sums to be paid by the several members thereof as their respective portion of such loss, and publish the same in such manner as they shall see fit, or as the by-laws shall have prescribed, and the sum to be paid by each member shall always be in proportion to the original amount of his deposit note or notes, and shall be paid to the officers of the company within thirty (30) days next after the publica-

tion of said notice. And if any member shall, for the space of thirty (30) days after the publication of said notice and service of such notice upon such member by mail, directed to him at his post-office, addressed as written in or upon his application for insurance, neglect or refuse to pay the sum assessed upon him as his proportion of any loss as aforesaid, in such case the directors may sue for and recover the whole amount of his deposit note or notes, with costs of suit, but execution shall only issue for assessments and costs as they accrue. If the whole amount of the deposit notes shall be insufficient to pay the loss occasioned by any fire or fires, in such case the sufferers insured by the said company shall receive towards making good their respective losses a proportional share of the whole amount of said notes, according to the sums by them respectively insured, but no member shall ever be required to pay, for any loss occasioned by fire or inland navigation, more than the whole amount of his deposit note.

APPROVED May 31, 1881.

#### EXTENSION OF TERRITORY OF TOWNSHIP COMPANIES.

- § 1. Contiguous congressional or political townships may be added—Not more than six to be embraced in one company.
- § 2. Community of freeholders may petition for admission—Secretary to notify auditor of petition granted.

- § 3. Obligations of companies not impaired by additions of territory.
- § 4. Townships added to have all benefits of original organization.
- In force July 1, 1881.

*AN ACT to give contiguous territory the right to become incorporated with township insurance companies.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be lawful for any township insurance company, already organized or hereafter to be organized, having less than six political townships in its organization, to accept or receive into its said organization one or more adjoining congressional or political townships: *Provided, however,* that such organization shall not, in any event, embrace more than six such townships.

§ 2. Any number of persons, not less than ten, who, collectively, shall own property of not less than \$15,000 in value, which they desire to have insured, residing in any congressional or political township which shall not already be in some township insurance company, may petition any township insurance company, already organized (to which said township may be contiguous), praying to have said township added to and embraced in said township insurance company. Said petition shall be accompanied by the written

consent of a full majority of the then policyholders in said company, owning not less than two-thirds of the insurance represented by the policies of said company, consenting to the prayer of said petition. Upon the receipt of such petition, accompanied by such consent, the board of directors of said company may, by vote, accept and receive into said organization such township so petitioning. If such township so petitioning shall be so received and accepted by such township insurance organization, the secretary of such township insurance company shall at once so notify the auditor of public accounts, stating the name of the township so added and the date the acceptance was so made.

§ 3. The accepting or receiving of any such township, as aforesaid, shall in no way impair the obligations of said township insurance company, or that of the policyholders or members thereof.

§ 4. From and after the date of such acceptance by such township insurance company, said township so received shall, to all intents and purposes, be a part and parcel of such township insurance company, the same as though embraced therein in its original organization.

APPROVED May 31, 1881.

## JUSTICES AND CONSTABLES.

### AMENDS CERTAIN SECTIONS OF THE ACT OF 1872.

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| § 1 of this act amends the following sections:   | § 62. Appeals—Force of bond.                            |
| § 1. State divided into districts—Election and term of office—Limits number.                                   | § 85. Execution against property—Force.                 |
| § 13. Jurisdiction defined.  | § 86. Execution against body—Force.                     |
| § 15. Non-resident required to give bond—Fine.   | § 91. Execution to another county.                      |
| § 17. Commencement of suit—Force of summons—Service.   | § 93. Arrest—Commitment—Notice to plaintiff.            |
| § 21. Corporations—Service.  | § 95. Transcript—Certified to circuit court—Effect.     |
| § 22. Affidavit— <i>Capias</i> —Form.  | § 99. Trial of right of property, before whom.          |
| § 23. Plaintiff give bond before <i>capias</i> issue—Force—Service.  | § 105. Failure to turn over money collected—Damages.    |
| § 30. Change of venue.   | § 107. Resignation—Death—Successor—Unfinished business. |
| § 42. <i>Scire facias</i> —Form.   | § 112. Constables—Unfinished business.                  |
| § 45. Jury trials—Force of writ.   | § 122. Record—Contempt—Fine.                            |
| § 52. Justice unable to attend suit on account of sickness may request another justice to attend in his stead. | § 2. Emergency.   |
| § 53. Witnesses—Force of subpoena—Service.   | In force May 30, 1881.                                  |

AN ACT to amend sections one (1), thirteen (13), fifteen (15), seventeen (17), twenty-one (21), twenty-two (22), twenty-three (23), twenty-seven (27), thirty (30), forty-two (42), forty-five (45), fifty-two (52), fifty-three (53), sixty-two (62), eighty-five (85), eighty-six (86), ninety-one (91), ninety-two (92), ninety-three (93), ninety-five (95), ninety-nine (99), one hundred and five (105), one hundred and seven (107), one hundred and twelve (112), and one hundred and twenty-two (122) of an act entitled "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and to fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1), thirteen (13), fifteen (15), seventeen (17), twenty-one (21), twenty-two (22), twenty-three (23), twenty-seven (27), thirty (30), forty-two (42), forty-five (45), fifty-two (52), fifty-three (53), sixty-two (62), eighty-five (85), eighty-six (86), ninety-one (91), ninety-two (92), ninety-three (3), ninety-five (95), ninety-nine (99), one hundred and five (105), one hundred and seven (107), one hundred and twelve (112), one hundred and twenty-two (122) of an act entitled "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and to fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872, be and the same are hereby amended, so as to hereafter read as follows:

"Section 1. The several counties in this state, except the county of Cook and all that part of Cook county not included within the limits of the city of Chicago, and the city of Chicago, are hereby respectively constituted districts, to the limits of which the jurisdiction of all justices of the peace is hereby limited. Wherever the limits of any justice of the peace district are co-extensive with the limits of a county, the term 'county' may be used in the place of the term 'district' in any bond, writ, process, judgment or other proceeding. All that part of Cook county not included within the limits of the city of Chicago, shall be styled 'Cook district,' and the city of Chicago shall be styled 'Chicago district,' for the purposes of this act. On the first Tuesday in April, A. D. one thousand eight hundred and eighty-five (1885), and at each quadrennial election for town officers thereafter, there shall be elected in each town in the aforesaid districts, in counties under township organization (except as to justices of the peace in the city of Chicago, in Cook county), and on Tuesday next after the first Monday in November, A. D. one thousand eight hundred and eighty-one (1881), and on the same day quadrennially thereafter, there shall be elected in each election precinct in the aforesaid districts, in counties not under township organization, two (2) justices of the peace and two (2) constables, and one (1) justice of the peace and one (1) constable, for every one thousand (1,000) inhabitants exceeding two thousand (2,000) inhabitants of such town or precinct; but each fractional township

in counties under township organization, consolidated with or attached to another township, shall be entitled to one (1) justice of the peace and one (1) constable: *Provided*, no more than five (5) justices of the peace and five (5) constables shall be elected in any town or precinct. Their term of office shall commence on the first Monday of December after their election, and continue for four (4) years, or until their successors are elected and qualified, except in counties under township organization, when the term shall commence on the first Monday in May; but no justice of the peace shall hold the office of police magistrate: *Provided*, that there shall be elected in each of the towns in which is contained the city of Chicago, or any part thereof, one (1) constable, and no more, for each ten thousand (10,000) inhabitants of such towns, at the same time and in the same manner provided in this section."

"Section 13. Justices of the peace shall have jurisdiction in their respective districts in the following cases, when the amount claimed does not exceed two hundred dollars (\$200):

*First*—In actions arising on contracts, whether under seal or not, express or implied, for the recovery of money only. When the action is upon a bond, the amount to be recovered thereon, and not the penalty of the bond, shall determine the jurisdiction; and when the payments are to be made by installments, an action may be brought for any installment as it shall become due.

*Second*—In actions for damages for injury to real property, or for taking, detaining or injuring personal property.

*Third*—In actions for rent and distress for rent.

*Fourth*—In actions against railroad companies and any person or company controlling, operating or using any railroad in this state, for killing or injuring horses, cattle, sheep, hogs or other stock; for loss of or injury to baggage or freight; and for injury or damage to real or personal property, caused by setting fire to the same by their engines or otherwise.

*Fifth*—In actions of replevin, when the value of the property claimed does not exceed two hundred dollars (\$200).

*Sixth*—In actions for damages for fraud in the sale, purchase or exchange of personal property, and in all cases where the action of debt or assumpsit will lie, if the damages claimed do not exceed two hundred dollars (\$200). This section shall apply to claims originally exceeding two hundred dollars (\$200), if the same shall at the time of rendition of the judgment be reduced by credits or deductions to an amount not exceeding two hundred dollars (\$200)."

"Section 15. No person, who is not a resident of this state, shall commence any action before a justice of the peace until such non-resident shall file with the justice before whom such action may be brought, a bond, with sufficient security, for the payment of all costs which may be awarded against the plaintiff, should he fail in his suit; which bond shall be in the following form, as near as may be, inserting the names of the parties, the district and state:

"STATE OF ILLINOIS, { ss.  
 ..... DISTRICT. }  
 A..... B..... }  
 vs. } Before ..... Justice of the Peace.  
 C..... D..... }

"I, E..... F....., do enter myself security for all costs that may accrue in the above cause.  
 Dated this ..... day of .....

"E..... F....."

“Section 17. Every suit before a justice, except as otherwise provided, shall be commenced by summons, which shall be in the following form, as nearly as the case will admit, viz:

“STATE OF ILLINOIS, }  
 .....DISTRICT. } ss.

“*The People of the State of Illinois, to any constable of said district—Greeting:*

“You are hereby commanded to summon A B to appear before me at ..... on the ..... day of ..... at ..... o'clock .. m., to answer the complaint of C D for a failure to pay him a certain demand, not exceeding two hundred dollars (\$200), and hereof make due return as the law directs.

“Given under my hand this ..... day of ....., 18...

JOHN DOE, J. F.

“In which summons the justice shall specify a certain place, day and hour for the trial, not less than five (5) nor more than fifteen (15) days from the date of such summons, at which time and place the defendant is to appear. Every summons shall be served at least three (3) days before the time of trial mentioned therein, by reading the same to the defendant.”

“Section 21. An incorporated company may be served by leaving a copy of the summons with its president, secretary, superintendent, general agent, cashier or principal clerk, if either can be found in the district in which the suit is brought; if neither shall be found in the district, then by leaving a copy of the summons with any director, clerk, engineer, conductor, station agent, or any agent of such company found in the district.”

“Section 22. When any person shall be about to commence a suit upon any contract, whether under seal or not, expressed or implied, if the plaintiff, or some person on his behalf, shall make, subscribe and file with the justice an affidavit, setting forth the cause of action and the amount due the plaintiff, and facts tending to show that the defendant fraudulently contracted the debt or incurred the obligation respecting which the suit is about to be brought, or that he has concealed, removed, assigned or disposed of any of his property with intent to defraud his creditors, or if the action is for a tort, setting forth the principal facts, showing the cause of action and the amount the plaintiff expects to be able to recover, and in either case, that the benefit of whatever judgment may be obtained will be in danger of being lost unless the defendant is held to bail, and setting forth the reasons of such danger, it shall be the duty of the justice, if he shall be satisfied from the facts stated in such affidavit either that the defendant fraudulently contracted such debt, or incurred such obligation, or has concealed, removed, assigned or disposed of any of his property with intent to defraud his creditors, or has committed such tort, and that whatever judgment may be obtained will be in danger of being lost unless the defendant be held to bail, to issue a *capias* for the arrest of such defendant, which may be in the following form:

“STATE OF ILLINOIS, }  
 .....DISTRICT. } ss.

“*The People of the State of Illinois, to any constable of said district—Greeting:*

“You are hereby commanded to take the body of ..... and bring him forthwith before me, unless special bail be entered; and if such bail be entered, you will then command him to appear before me at ..... on the ..... day of ....., at ..... o'clock .... M., to answer the complaint of A B for failure to pay him a certain demand, not exceeding two hundred dollars (\$200), and hereof make due return as the law directs.

“Given under my hand this..... day of ....., A. D. 18..

“JOHN DOE, J. P.”

“Section 23. Before issuing a *capias* the justice shall take from the plaintiff or his agent a bond, with approved security, and file the same with the papers in the case, in substance as follows:

“STATE OF ILLINOIS, } ss.  
 .....DISTRICT.

“A..... B..... }  
 vs. D..... } Before ..... Justice of the Peace.  
 C..... D..... }

“We hereby bind ourselves to pay all damages and costs, if any, which may be wrongfully occasioned by a *capias* in this case.

“Dated this..... day of....., A. D. ....

“..... [SEAL.]  
 ..... [SEAL.]”

“Section 27. In all cases in which the defendant shall give special bail under the provisions of this act, and shall not be surrendered on or before the return day of the execution against his body, and sufficient property is not found to pay the judgment and costs, within the same time, it shall be the duty of the justice of the peace, upon the application of the plaintiff or his agent, to issue a summons against the special bail, substantially in the following form, to-wit:

“STATE OF ILLINOIS, } ss.  
 .....District.

“*The People of the State of Illinois, to any constable of said district—Greeting:*

“You are hereby commanded to summon..... to appear before me at....., on the..... day of....., at..... o'clock..... M., to show cause, if any he have, why judgment should not be rendered against him, as the special bail of..... upon a *capias* issued by me against him, in favor of....., for the sum of..... dollars and..... cents, the amount of the judgment rendered against the said....., in favor of the said..... And hereof make due return.

“Given under my hand, this..... day of....., 18....

“JOHN DOE, J. P.

“In which summons the justice shall specify a certain day, place and hour for the trial, not less than five (5) nor more than fifteen (15) days from the date thereof, at which time and place the defendant is to appear; which process shall be served and return made as in other cases.”

“Section 30. Previous to the commencement of any trial before a justice of the peace, the defendant, or his or her agent, may make oath that it is the belief of such deponent that the defendant cannot have an impartial trial before such justice; whereupon, it shall be the duty of the justice immediately to transmit all the papers and documents belonging to the suit to the nearest justice of the peace in the same district who is not of kin to either party, sick, absent from town, or interested in the event of the suit as counsel, or otherwise, who shall proceed as if the suit had been instituted before him: *Provided*, that distance, as contemplated in this section, shall mean to be by the nearest traveled route.”

“Section 42. The *scire facias* shall be substantially in the following form:

“STATE OF ILLINOIS, } ss.  
 .....DISTRICT.

“*The People of the State of Illinois, to any constable of said district—Greeting:*

“Whereas, A B did, on the..... day of....., 18.., recover a judgment before the undersigned, one of the justices of the peace of, in and for the district aforesaid, against C D, impleaded with E F, for the sum of....., as well as costs of suit: you are therefore hereby commanded to summon the said E F to be and appear before the undersigned, at his office, ..... in said district, on the..... day of....., 18...., at..... o'clock..... M., to show cause, if any he have, why he shall not be made a party to said judgment. And make due return hereof, as the law directs.

“Given under my hand, this..... day of....., 18....

....., J. P.”

“Section 45. The writ for summoning jurors may be in the following form:

“STATE OF ILLINOIS, }  
 .....District. } ss.

“*The People of the State of Illinois, to any constable of said district—Greeting:*

“We command you to summon.....lawful men of your district to appear before me, at....., on the.....day of....., 18....., at.....o'clock.....M., who are not of kin to..... plaintiff, or to..... defendant, to make a jury between said parties in a certain cause pending before me. And have you then and there the names o. the jury and this writ.

“Witness my hand, this..... day of....., 18.....

“JOHN DOE, J. P.”

“Section 52. When a justice of the peace before whom a suit or proceeding is pending is unable, on account of sickness, or other cause, to attend at the time and place fixed for the trial, any other justice of the peace in his district may, at his request, attend at the time and place fixed for the trial, and continue the cause to some other day, or, if the parties shall agree, may hear the cause instead and in behalf of the justice calling him; and the judgment so entered shall have the same force and effect as if rendered by the justice before whom the suit or proceeding is pending.

“Section 53. When either party shall require the attendance of a witness, in any suit pending before a justice, it shall be the duty of the justice to issue a subpoena in the form, as nearly as the case will admit, viz:

“STATE OF ILLINOIS, }  
 .....DISTRICT. } ss.

“*The People of the State of Illinois to A.... B....:*

“You are hereby commanded to appear before me at..... on the..... day of..... a..... o'clock..... M., then and there to testify the truth in a matter in suit, wherein C D is plaintiff and E F defendant; and this you are not to omit, under the penalty of the law.

“Given under my hand this..... day of....., 18.....

“JOHN DOE, J. P.”

“Which subpoena may be served by a constable or any other person, by reading the same to the witness; but no mileage or fees shall be allowed to the person other than a constable or other officer serving the same.”

“Section 62. Appeals from judgments of justices of the peace to the circuit or county court, if such jurisdiction shall be conferred upon the county court by law, shall be granted in all cases, except on judgment confessed; and in the county of Cook appeals may also be granted to the superior court of said county: *Provided*, the party praying for an appeal shall, within twenty (20) days from the rendering of the judgment from which he desires to take an appeal, enter into bond, with security, to be approved and conditioned as hereinafter provided, in substance as follows:

Know all men by these presents, that we, A B and C D, are held and firmly bound unto E F in the penal sum of (here insert double the amount of judgment and costs) dollars, lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs and administrators, jointly, severally and firmly by these presents.

Witness our hands and seals this..... day of....., 18.....

“The condition of the above obligation is such that, whereas, the said E F did, on the .. day of..... A. D. 18...., be ore..... justice of the peace for..... district, recover a judgment against the above bounden A B for the sum of..... dollars (or for costs, as the case may be), from which judgment the said E F has taken an appeal to the..... court of the county of.....: Now, if the said A B shall prosecute his appeal with effect, and pay whatever judgment may be rendered against him by said court, upon the trial of said appeal, or by consent, or, in case the appeal is dismissed, will pay the judgment ren-

dered against him by said justice, and all costs occasioned by said appeal (or if the judgment appealed from is in favor of the appellant, omit the words "the judgment rendered against him by said justice, and") then the above obligation to be void; otherwise to remain in full force and effect.

"A B [SEAL.]  
"C D [SEAL.]

"Approved by me this .... day of ..... 18..

"JOHN DOE, J. P."

"Section 85. All executions issued by a justice of the peace, except executions against the body, shall be directed to any constable of the proper district, and made returnable to the justice issuing the same within seventy (70) days from the date. Such executions shall be levied only on personal property, and shall be in the following form, as nearly as may be, viz:

"STATE OF ILLINOIS, }  
.....DISTRICT } ss.

"*The People of the State of Illinois, to any constable of said district—Greeting:*

"We command you that of the goods and chattels of A B, in your district, you make the sum of ..... dollars and .... cents judgment, and ..... dollars and .... cents costs, which C D lately recovered before me in a certain plea against the said A B; and hereof make return to me within seventy (70) days from this date.

"Given under my hand this .... day of ..... 18..

"JOHN DOE, J. P."

"Section 86. Executions against the body shall be directed in the same manner and made returnable in the same time, and may be substantially in the following form:

"STATE OF ILLINOIS, }  
.....DISTRICT. } ss.

"*The People of the State of Illinois, to any constable of said district—Greeting:*

"We command you that of the goods and chattels of A B, in your district, you make the sum of ..... dollars and ..... cents judgment, and ..... dollars and ..... cents costs, which C D lately recovered before me against the said A B, and for want of such goods and chattels, that you take the body of the said A B and him convey and deliver unto the keeper of the jail of the county of ....., who is hereby commanded to receive and keep the said A B in safe custody until the said sum and all legal expenses be paid and satisfied, or until he is discharged by due course of law; and hereof make return to me within seventy (70) days from this date.

"Given under my hand this ..... day of ....., 18....

"JOHN DOE, J. P."

"Section 91. When it shall appear, by the return of any execution issued as aforesaid, that the defendant has not personal property within the district sufficient to satisfy the debt, and it is desired by the plaintiff to have execution issued to some other district, in which it is alleged that the defendant has personal property, the justice shall issue execution, directed to any constable of the district where such property shall be said to be, to which execution shall be attached an official certificate of the county clerk of the district in which the same shall be issued, setting forth that such justice was, at the time of issuing of said execution, a justice of the peace in and for said district.

"Section 92. When an execution shall be issued to another district, as provided in the preceding section, it shall be the duty of the constable receiving the same to proceed to the collection of the same, and make return as in other cases.

"Section 93. When a debtor shall be arrested by virtue of an execution against his body, he shall be conveyed to the county jail of the county in which the district of the constable who made the arrest is located, and delivered to the jailer, who shall keep him in safe custody until he shall satisfy the execution or be discharged

according to law. Immediately upon the arrest of the defendant the officer making the same shall give notice thereof to the plaintiff, his agent or attorney, if in the district."

"Section 95. When it shall appear, by the return of an execution first issued as aforesaid, that the defendant has not personal property sufficient to satisfy the judgment and costs within the district in which judgment was rendered, and it is desired by the plaintiff to have the same levied on real property in that or any other district, it shall be lawful for the justice to certify to the clerk of the circuit court of the county in which such judgment was rendered, a transcript, which shall be filed by said clerk, and the judgment shall thenceforward have all the effect of a judgment of the said court, and execution shall issue thereon out of that court, as in other cases."

"Section 99. The trial of the right of property in such cases shall be before the justice of the peace who issued such writ, if he reside in the district, or if he should be unable to attend to such trial, before some other justice of the peace in such district, or before some justice of the peace in the district where the levy is made, in case the writ was issued from another district."

"Section 105. Upon the failure of a justice of the peace or constable to pay over any money by him collected or received, as herein provided, to any person entitled to receive the same, his or her agent or attorney, on demand being made, such person may proceed against such justice or constable in a summary way, either before a court of record having common law jurisdiction, or some justice of the peace of the proper district, by motion, upon giving to such justice or constable five (5) days' notice of the application, and recover the amount so neglected or refused to be paid, with twenty (20) per cent. damages thereon for such detention, and shall have execution therefor, but such proceeding shall not affect the right of action on the bond."

"Section 107. When any justice of the peace shall resign his office, or remove from the town or precinct in which he was elected, it shall be his duty to deliver over his docket and papers relating to the business transacted before him, to the nearest justice of the peace of his district, and to return to the office of the county clerk all copies of the statutes which he may have received from that office; and in case of the death of any justice of the peace, it shall be the duty of the person having possession of said docket, papers and statutes, to deliver them over, as aforesaid. Upon the election and qualification of the successor of such justice of the peace, the docket, papers and statutes of such justice of the peace shall be handed over to his successor in office, and which successor in office shall proceed to the completion of unfinished business, as though the term of office of such justice of the peace who may die, resign or remove, had expired."

Section 112. An constable to whom an execution shall have been delivered, and whose term of office shall expire before the expiration of the time within which the return of such execution is required by law, shall be authorized to proceed in all matters relating to said execution, and in the same manner to collect the same that he might have done had the term of office of such constable not

have expired; and the constable and sureties shall be liable for any neglect of duty, and for all moneys collected upon such execution, in the same manner and to the same extent they would have been if the term of office of such constable had not expired; and any process in the hands of a constable, which shall not be completely executed when he may die, resign or be removed from office, may be completed by any other constable of the district."

"Section 122. It shall be the duty of every justice, whenever a suit shall be commenced before him, to record, in a well bound book kept for that purpose, the names of the parties, the amount and nature of the debt sued for, the date and description of the process issued, and the name of the officer to whom such process shall be delivered, and throughout the whole of the proceedings in any suit, it shall be his duty, whenever any process shall be issued or returned, or any order made, or judgment rendered, to make a written memorandum of the same, in the same book, and to file and safely keep all papers given him in charge. In all cases where a witness shall be duly served with a subpoena, and shall fail to attend at the trial, conformably thereto, and in all cases where a person shall be summoned as a juror, to try any cause before a justice of the peace, and shall fail to attend at the time and place appointed in such summons, the justice shall have power to issue an attachment, directed to any constable of the district, commanding him forthwith to bring before such justice the body of such juror or witness so failing to attend, as aforesaid, to show cause why he should not be fined for such contempt; and on the appearance of such juror or witness on such attachment, it shall be lawful for the justice of the peace to fine him in any sum not less than one dollar (\$1) nor more than ten dollars (\$10), or wholly discharge him, if satisfactory excuse be made."

§ 2. Whereas, the business people of parts of this state are being harassed and annoyed by the perversion of the present law, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 30, 1881.

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WRITS OF REPLEVIN.

§ 1. Property taken under writs of replevin may be ordered returned if value exceeds jurisdiction of justices. In force July 1, 1881.

AN ACT to enable justices of the peace to order a return of property taken under a writ of replevin, where it appears that the value of the property exceeds the jurisdiction of the justice.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That where any property has been taken under a writ of replevin issued by a justice of the

peace, and it shall appear on the trial that the property so taken exceeds in value the jurisdiction of the justice of the peace, he shall have power to order a return of the property so taken to the defendant.

APPROVED May 28, 1881.

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## LIBRARIES.

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### PUBLIC LIBRARIES IN CITIES.

§ 1. Authorizes levy of tax to support libraries.

§ 2. Emergency clause.  
In force March 24, 1881.

AN ACT to amend section one (1) of "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 1 of "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, be amended so that the same shall read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of each incorporated city shall have power to establish and maintain a public library and reading room for the use and benefit of the inhabitants of such city, and may levy a tax of not to exceed one mill on the dollar, annually, and in cities of over one hundred thousand inhabitants, not to exceed one-fifth of a mill on the dollar, annually, on all the taxable property in the city, except for the years A. D. 1881 and 1882, respectively, in cities of over one hundred thousand inhabitants, the said tax may be one-half of a mill on the dollar, such tax to be levied and collected in like manner with the general taxes of said city, and to be known as the 'library fund;' and the said annual library tax in cities of over one hundred thousand inhabitants for the years A. D. 1881 and 1882 shall not be included in the aggregate amount of taxes as limited by section 1, of article 8, of "An act for the incorporation of cities and villages," approved April 10, 1872; but for years other than the years A. D. 1881 and 1882, the said library tax shall be included in the said aggregate amount of taxes so limited by said section one.

§ 2. Whereas, it is desirable to enable the city council of Chicago to make an adequate appropriation in the current tax levy for the support of the public library of Chicago, an emergency therefore exists, and this act shall take effect and be in force from and after its passage.

APPROVED March 24, 1881.

## MARRIAGES.

### CELEBRATION OF.

§ 1. Amends section 4, act 1874—Who may celebrate.

AN ACT to amend section four (4) of an act entitled "An act to revise the law in relation to marriages," approved February 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section four (4) of an act entitled "An act to revise the law in relation to marriages," approved February 27, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

"Section 4. Marriages may be celebrated, either by a minister of the gospel in regular standing in the church or society to which he belongs, by a judge of any court of record, by a justice of the peace, by any superintendent of any public institution for the education of the deaf and dumb in this state, or if the parties or either of them are members of the religious society known as Friends or Quakers, they may be lawfully married by making known their intentions to marry to a standing committee of an official meeting, at least one (1) week before said marriage is consummated, and by appearing in a public meeting or private gathering, before official witnesses of said body, with a certificate duly setting forth the names and residence of each contracting party, and of the parents of each, if living, which said certificate shall be signed by the contracting parties and the official witnesses, and shall be publicly read by one (1) of the witnessing parties, and afterwards duly recorded upon the records of an organized meeting of said society."

APPROVED May 30, 1881.

## MORTGAGES.

## ACKNOWLEDGMENT.

§ 1. Amends sections 2 and 3 act 1874—Chattels—Acknowledgment—Form of certificate.  
 § 3. Record of acknowledgment—Form.

AN ACT to amend sections (2) and three (3) of an act entitled “An act to revise the law in relation to mortgages of real and personal property,” approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections two (2) and three (3) of an act entitled “An act to revise the law in relation to mortgages of real and personal property,” in force July 1, 1874, be and are hereby so amended as to read as follows, to-wit:

“Section 2. Such instrument shall be acknowledged before a justice of the peace of the town or precinct where the mortgagor resides, or, if there be no acting justice of the peace in the town or precinct where the mortgagor resides, then such instrument may be acknowledged before the county judge of the county in which the mortgagor resides; or, if the mortgagor is not a resident of this state at the time of making the acknowledgment, then before any officer authorized by law to take acknowledgment of deeds. The certificate of acknowledgment may be in the following form:

This (name of instrument) was acknowledged before me by (name of grantor) (when the acknowledgment is made by a resident, insert the words “and entered by me”) this ..... day of ..... 18..

Witness my hand and seal.

(Name of officer.)

[SEAL.]

“Section 3. If the acknowledgment is by a resident of this state, the justice of the peace, or county judge, shall enter in his docket a memorandum thereof, substantially as follows:

“A B (name of mortgagor) to C D (name of mortgagee); mortgage of (here insert description of the property as in the mortgage.)

Acknowledged this .... day of ..... 18..”

APPROVED May 30, 1881.

## MUNICIPAL INDEBTEDNESS.

## CREATES SINKING FUNDS.

§ 1. Municipalities may establish sinking fund for registered indebtedness—Certificate to auditor.

§ 2. Auditor to certify for sinking fund.

§ 3. Treasurer to invest proceeds of taxation for sinking fund.

In force July 1, 1881.

AN ACT to provide a sinking fund for local indebtedness.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any county, township, city, town or school district shall owe any bonded debt not

due, which is registered in the office of the auditor of this state, the board of supervisors, or board of county commissioners, town auditors, city council, town trustees, or school directors of such county, township, city, town or school district, as the case may be, may, by resolution spread upon their records, and certified to the auditor, request said auditor to create a sinking fund to meet any such debt, or any installment thereof, by the time the same shall become due and payable. Said resolution shall specify the principal amount to be so provided for, the time when the same shall become due and the amount they desire raised annually to meet the same.

§ 2. Upon the receipt of such resolution, the auditor shall file in his office the same, and thereafter it shall be his duty, in certifying the amount of taxes to be raised within said district, to fix and certify a rate, to be denominated "sinking fund tax," sufficient to produce the amount annually required in said resolution, and the same shall be levied, extended and collected, and paid into the state treasury the same as other state taxes.

§ 3. The state treasurer shall receive said taxes so collected, and shall invest the same in U. S. government bonds, or in the bonds of the county, township, city, village or school district to which such fund belongs, and for which it is created, at the lowest price for which such bonds can be purchased, not, however, to exceed the par value and accrued interest; and such county commissioners, supervisors, town auditors, city council, town or village trustees, or school directors, shall have the right to determine the kind of bonds they will authorize to be purchased and to fix the maximum price that may be paid for the same, and in case of the purchase of government bonds, then the treasurer shall receive the interest as it accrues on said bonds and reinvest it in the same kind of securities, and in case of the purchase of the bonds for which the sinking fund is raised, then such purchased bonds shall be returned to the county, township, city, village or school district and be canceled or destroyed by the proper authorities.

APPROVED May 28, 1881.

## NEGOTIABLE INSTRUMENTS.

## LEGAL HOLIDAYS.

§ 1. What constitutes legal holidays.—Maturity of negotiable paper. In force July 1, 1881.

AN ACT to amend section seventeen (17) chapter ninety-eight (98) of the Revised Statutes, being "An act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing," approved March 18, 1874, in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section seventeen (17) of chapter ninety-eight (98) of the Revised Statutes, being "An act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing," be and the same is hereby amended so as to read as follows:

"Section 17. The following days, to-wit: the first day of January, commonly called New Year's day; the twenty-second day of February; the thirtieth day of May; the fourth day of July; the twenty-fifth day of December, commonly called Christmas day, and any day appointed or recommended by the governor of this state, or by the president of the United States, as a day of fast or thanksgiving, are hereby declared to be legal holidays, and shall, for all purposes whatsoever, as regards the presenting for payment or acceptance, the maturity and protesting, and giving notice of the dishonor of bills of exchange, bank checks and promissory notes, or other negotiable or commercial paper or instruments, be treated and considered as is the first day of the week, commonly called Sunday. When any of such holidays fall upon Sunday, the Monday next following shall be held and considered such holiday. All notes, bills, drafts, checks or other evidence of indebtedness, falling due or maturing on either of said days, shall be deemed as due or maturing on the day previous, and when two (2) or more of these days come together, or immediately succeeding each other, then such instruments, paper or indebtedness shall be deemed as due or having matured on the day previous to the first of such days."

APPROVED May 30, 1881.

## PARKS.

## GOVERNOR TO APPOINT COMMISSIONERS.

§ 1. Not lawful for circuit judges to appoint commissioners.  
 § 2. Governor to appoint.

§ 3. Vacancies—Remaining members to notify governor.  
 In force July 1, 1881.

AN ACT to prohibit the appointment of Park Commissioners by judges of the circuit court, and to provide for their appointment by the Governor of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter it shall not be lawful for any judge or judges of any circuit court in this state to appoint any park commissioner, or fill any vacancy in any such office of park commissioner.

§ 2. The governor of the state of Illinois shall appoint all park commissioners hereafter to be appointed under and by virtue of any act or acts providing for the location and maintenance of any public park or parks (not under the control of any city, village or other municipal corporation,) and shall fill all vacancies which may hereafter occur in any such office of park commissioner or board of park commissioners by like appointment, anything in any such act or acts to the contrary notwithstanding.

§ 3. Whenever any vacancy or vacancies shall occur in any such board of park commissioners, it shall be the duty of the remaining member or members of such board to certify the fact of such vacancy or vacancies to the governor of the state of Illinois.

APPROVED May 30, 1881.

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AUTHORIZES PARK COMMISSIONERS TO RECEIVE BEQUESTS OF REAL ESTATE OR PERSONAL PROPERTY AND AUTHORIZES IMPROVEMENT OF SAME.

§ 1. Amends act by adding proviso to section 1 of act of 1879, authorizing improvement of bequests of property for driveways. In force July 1, 1881.

AN ACT to amend section (1) of an act entitled "*An act to authorize park commissioners to take by grant, devise, bequest or conveyance, property for park, driveway and other purposes therewith connected,*" approved and in force May 31, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "*An act to authorize park commissioners to take by grant, devise, bequest or conveyance, property for park, driveway and other purposes therewith connected,*" approved and in force May 31, 1879, be and the same is hereby amended so as to read as follows:

"Section 1. That in all cases where the commissioners of any park have been named in the act establishing the same, and their successors have since been appointed by the governor of this state, real and personal property may be granted, bequeathed, devised or conveyed to such commissioners for the purposes of the establishment of any driveway, connected or proposed to be connected either

directly or by means of a public highway or street, with such park, or for the extension, improvement or ornamentation of such park or driveway, or for the establishment and maintenance, within the limits of such park, of museums, zoölogical, botanical, or other gardens of like nature, collections of natural history, observatories or works of art, upon such trusts and subject to such conditions as may be prescribed by the grantors or donors thereof, and agreed to by the said board of park commissioners; and all property so devised, granted, bequeathed or conveyed, and the rents, issues, profits and income thereof, shall be subject to the exclusive management, direction and control of the commissioners of the park; and when any real property shall be so acquired, it shall form a part of such park, and be managed and governed as a part thereof: *Provided*, that in all cases where any real property is so devised, granted or conveyed to such park commissioners for a driveway, such park commissioners are hereby authorized to pay for the improvement thereof, and for that purpose such board of commissioners may make application to the board of trustees of the town, or towns, in which it is proposed to make such improvement, if there be a board of trustees, and to the supervisor and assessor in case there is no such board (the said board of trustees and supervisor and assessor being hereby declared corporate authorities for the purpose of this section), for leave to make such improvement, describing, in detail, the location and character thereof, by a special assessment on the property benefited thereby, and if the board of trustees, or supervisor and assessor, as the case may be, shall approve of the proposed improvement, authority in writing shall be given therefor, in accordance with the ninth article of an act entitled 'An act to provide for the incorporation of cities and villages,' approved April 10, 1872, and the said commissioners shall, in behalf of such town or towns, cause the proceedings to be commenced and prosecuted in accordance with the provisions of that article. Proceedings for the making and collection of such special assessment shall be commenced and prosecuted in accordance with the provisions of said article."

APPROVED April 29, 1881.

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#### COMPLETION AND MANAGEMENT.

§ 1. Amend section 20, act 1874—Driveways—Right of way.

AN ACT to amend section twenty (20) of an act in regard to the completion of public parks and the management thereof," approved June 16, 1871, as amended by an act approved and in force February 18, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section twenty (20) of an*

act entitled "An act in regard to the completion of public parks and the management thereof," approved June 16, 1871, as amended by an act approved and in force February 18, 1874, be further amended so as to read as follows, to-wit:

"Section 20. If the commissioners of any such park shall wish to establish, open and construct any driveway from the park, they shall make application to the board of trustees of the town in which it is proposed to make the same, if their be a board of trustees, and to the supervisor and assessor in case there is no such board (the said board of trustees and supervisor and assessor being hereby declared corporate authorities for the purpose of this section), for leave to establish, open and construct such driveway, describing the proposed location in detail, and if the board of trustees, or supervisor and assessor as the case may be, shall approve of the proposed improvement, authority in writing shall be given for the establishing, opening and construction of the same, in accordance with the ninth article of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872; and the commissioners shall, in behalf of such town, cause the proceedings to be commenced and prosecuted in accordance with the provisions of that article. When any such driveway shall be established, it shall form a part of said park and be managed and governed as a part thereof. When any driveway has been heretofore or shall be hereafter constructed and opened as aforesaid, it shall be lawful to extend the same in the manner aforesaid. If the commissioners of any such park shall think it proper to use any public street or road, or part thereof, for such driveway, or part thereof, it shall be lawful to take and use such street or part thereof, in the discretion of the commissioners, provided the consent of the owners of a majority of the lineal front feet abutting on such street or road or part thereof, proposed to be used by the commissioners, be first obtained in writing, and also the consent of the city council in case the street is within a city, of the trustees in case it is within an incorporated village or town, or of the commissioner of highways in case the street or road is within a township, and the territory is not embraced within an incorporated city, village or town. When the commissioners shall determine to use any street or road or part thereof, and the consent of the authorities having control thereof shall be given as aforesaid, it shall form a part of said park and may be improved, managed and governed as a part thereof."

APPROVED May 28, 1881.

## PENAL INSTITUTIONS.

### PENITENTIARY AUTHORITIES GIVEN POLICE POWER ON GROUNDS OWNED BY STATE.

§ 1. Prison authorities, guards and keepers clothed with police power—May arrest disturbers of peace, with or without warrant, on penitentiary grounds.

In force July 1, 1881.

*AN ACT to give to the authorities of penitentiaries in the State of Illinois police powers on grounds owned or leased by the state in connection with said penitentiaries.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented by [in] the General Assembly,* That the wardens and their assistants, the guards and keepers of the penitentiaries of the state of Illinois, shall be conservators of the peace; and all officers created conservators of the peace by this act shall have power to arrest or cause to be arrested, with or without process, upon any grounds owned or leased by the state of Illinois, and used by either of said penitentiaries, all persons who shall break the peace or be found upon said grounds violating any criminal law of this state, and take such persons before a magistrate for trial.

APPROVED May 30, 1881.

## PHARMACY.

### BOARD OF PHARMACY.

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| <p>§ 1. Forbids compounding or sale of drugs, medicines or poisons, except by registered pharmacists.</p> <p>§ 2. Who shall register.</p> <p>§ 3. Who shall be graduates in pharmacy.</p> <p>§ 4. Who shall be licentiates in pharmacy.</p> <p>§ 5. Board of pharmacy—Governor to appoint—Illinois Pharmaceutical Association to nominate candidates for appointment as members.</p> <p>§ 6. Organization of board—Duties of members and officers—Examination of applicants for registry—Meetings—Quorum.</p> <p>§ 7. Requirements of persons claiming registry.</p> <p>§ 8. "Assistant pharmacists" to be registered—Fees.</p> <p>§ 9. Certificates for pharmacists, and fees for same.</p> | <p>§ 10. Annual fees—Certificates to be open for public inspection.</p> <p>§ 11. Duties of secretary of board, and salary—To be treasurer of the board—Bond—Disposition of funds.</p> <p>§ 12. Requires compliance with the provisions of this act within sixty days—Penalty for failure to comply—Exemptions.</p> <p>§ 13. Forbids adulteration of drugs—penalty for same—Board of pharmacy may appoint analyst—Board to prosecute violations of provisions of this act.</p> <p>§ 14. All poisons to be labeled—Not to be sold to any persons under 15 years of age.</p> <p>§ 15. Prosecution of suits—Duty of state's attorneys—Disposition of penalties collected.</p> <p style="text-align: center;">In force July 1, 1881.</p> |
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AN ACT to regulate the practice of pharmacy in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall not be lawful for any person, other than a registered pharmacist, to retail, compound or dispense drugs, medicines or poisons, or to open or conduct any pharmacy or store for retailing, compounding or dispensing drugs, medicines or poisons, unless such person shall be, or shall employ and place in charge of said pharmacy or store, a registered pharmacist, within the meaning of this act, except as hereinafter provided.

§ 2. Any person, in order to be registered within the meaning of this act, must be either a graduate in pharmacy, a graduate in medicine, or shall, at the time this act takes effect, be engaged in the business of a dispensing pharmacist on his own account, in the state of Illinois, in the preparation of physicians' prescriptions and in the vending and compounding of drugs, medicines and poisons, or shall be a licentiate in pharmacy.

§ 3. Graduates in pharmacy must be such persons as have had four years' practical experience in drug stores where the prescriptions of medical practitioners are compounded, and have obtained a satisfactory diploma or credentials of their attainments from a regularly incorporated college or school of pharmacy.

§ 4. Licentiates in pharmacy must be such persons as have had two years' practical experience in drug stores where the prescriptions of medical practitioners are compounded, and have passed a satisfactory examination before the state board of pharmacy, hereinafter mentioned. The said board may grant certificates of registration, without further examination, to the licentiates of such other boards of pharmacy as it may deem proper.

§ 5. The governor, with the advice and consent of the senate, shall appoint five persons from among such competent pharmacists in the state as have had ten years practical experience in the dispensing of physicians' prescriptions, who shall constitute the board of pharmacy. The persons so appointed shall hold their offices for five years: *Provided*, that the term of office of the five first appointed shall be so arranged that the term of one shall expire on the thirtieth day of December of each year; and the vacancies so created, as well as all vacancies otherwise occurring, shall be filled by the governor, with the advice and consent of the senate: *And, provided, also*, that appointments made when the senate is not in session, may be confirmed at its next ensuing session. The Illinois Pharmaceutical Association shall annually report directly to the governor, recommending the first year the names of at least ten persons, whom said association shall deem best qualified to serve as members of the board of pharmacy, and the names of at least three persons each year thereafter, to fill any vacancies which shall occur in said board.

§ 6. The said board shall, within thirty days after its appointment, meet and organize by the election of a president and secretary from its own members, who shall be elected for the term of one year, and shall perform the duties prescribed by the board. It shall be the duty of the board to examine all applications for registration submitted in proper form; to grant certificates of regis-

tration to such persons as may be entitled to the same under the provisions of this act; to cause the prosecution of all persons violating its provisions; to report annually to the governor and to the Illinois Pharmaceutical Association upon the condition of pharmacy in the state, which said report shall also furnish a record of the proceedings of the said board for the year, and also the names of all pharmacists duly registered under this act. The board shall hold meetings for the examination of applicants for registration, and the transaction of such other business as shall pertain to its duties, at least once in three months: *Provided*, that said board shall hold meetings once in every year in the city of Chicago and in the city of Springfield, and it shall give thirty days' public notice of the time and place of such meetings; shall have power to make by-laws for the proper fulfillment of its duties under this act, and shall keep a book of registration, in which shall be entered the names and places of business of all persons registered under this act, which book shall also specify such facts as said persons shall claim to justify their registration. Three members of said board shall constitute a quorum.

§ 7. Every person claiming the right of registration under this act who shall, within three months after this act shall take effect, forward to the board of pharmacy satisfactory proof, supported by his affidavit, that he was engaged in the business of a dispensing pharmacist on his own account in this state at the time this act takes effect, as provided in section two, shall, upon the payment of the fee hereinafter mentioned, be granted a certificate of registration: *Provided*, that in case of failure or neglect to register as herein provided, then such person shall, in order to be registered, comply with the requirements provided for registration as a graduate in pharmacy or a licentiate in pharmacy within the meaning of this act.

§ 8. Any assistant or clerk in pharmacy, who shall not have the qualification of a registered pharmacist within the meaning of this act, not less than eighteen years of age, who, at the time this act takes effect, shall have been employed or engaged two years or more in drug stores where the prescriptions of medical practitioners are compounded, and shall furnish satisfactory evidence to that effect to the state board of pharmacy, shall, upon making application for registration, and upon the payment to the secretary of the said board of a fee of one dollar, within sixty days after this act takes effect, be entitled to a certificate as a "registered assistant," which said certificate shall entitle him to continue in such duties as clerk or assistant; but such certificate shall not entitle him to engage in business on his own account unless he shall have had at least five years' experience in pharmacy at the time of the passage of this act. Annually thereafter, during the time he shall continue in such duties, he shall pay to the said secretary a sum not exceeding fifty cents, for which he shall receive a renewal of his certificate.

§ 9. Every person applying for registration as a registered pharmacist, under section seven of this act, shall, before a certificate is granted, pay to the secretary of the board the sum of two dollars, and a like sum shall be paid to said secretary by graduates in

pharmacy, [by] graduates of medicine, and by licentiates of other boards who shall apply for registration; and by every applicant for registration by examination shall be paid the sum of five dollars: *Provided*, that in case of the failure of any applicant to pass a satisfactory examination, his money shall be refunded.

§ 10. Every registered pharmacist who desires to continue the practice of his profession, shall annually thereafter, during the time he shall continue in such practice, on such date as the board of pharmacy may determine, pay to the secretary of the said board a registration fee, to be fixed by the board, but which shall in no case exceed two dollars, for which he shall receive a renewal of said registration. Every certificate of registration granted under this act shall be conspicuously exposed in the pharmacy to which it applies.

§ 11. The secretary of the board shall receive a salary, which shall be fixed by the board; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The other members of the board shall receive the sum of five dollars for each day actually engaged in this service, and all legitimate and necessary expenses incurred in attending the meetings of said board. Said expenses shall be paid from the fees and penalties received by the board, under the provisions of this act, and no part of the salary or other expenses of the board shall be paid out of the state treasury. All moneys received in excess of said per diem allowance and other expenses above provided for, shall be held by the secretary as a special fund for meeting the expenses of said board, he giving such bonds as the board shall from time to time direct. The board shall, in its annual report to the governor and to the Illinois Pharmaceutical Association, render an account of all moneys received and disbursed by them pursuant to this act.

§ 12. Any person not being, or having in his employ a registered pharmacist, within the meaning of this act, who shall, sixty days after this act takes effect, keep a pharmacy, or store for retailing or compounding medicines, or who shall take, use or exhibit the title of a registered pharmacist, shall, for each and every such offense, be liable to a penalty of fifty dollars. Any registered pharmacist who shall permit the compounding and dispensing of prescriptions, or the vending of drugs, medicines or poisons in his store or place of business, except under the supervision of a registered pharmacist, or except by a "registered assistant" pharmacist, or any pharmacist or "registered assistant" who, while continuing in business, shall fail or neglect to procure his annual registration, or any person who shall wilfully make any false representation to procure registration for himself or any other person, shall, for every such offense, be liable to a penalty of fifty dollars: *Provided*, that nothing in this act shall apply to nor in any manner interfere with the business of any physician, or prevent him from supplying to his patients such articles as may seem to him proper, nor with the making or vending of patent or proprietary medicines, or medicines placed in sealed packages, with the name of the contents and of the pharmacist or physician by whom prepared or compounded, nor with the sale of the usual domestic remedies by retail dealers, nor with the exclusively wholesale business of any dealers except as hereinafter provided: *And provided, further*, that no part of this

section shall be so construed as to give the right to any physician to furnish any intoxicating liquor as a beverage, on prescription or otherwise.

§ 13. No person shall add to or remove from any drug, medicine, chemical or pharmaceutical preparation, any ingredient or material for the purpose of adulteration or substitution, or which shall deteriorate the quality, commercial value or medicinal effect, or which shall alter the nature or composition of such drug, medicine, chemical or pharmaceutical preparation, so that it will not correspond to the recognized tests of identity or purity. Any person who shall thus wilfully adulterate or alter, or cause to be adulterated or altered, or shall sell or offer for sale any such adulterated or altered drug, medicine, chemical or pharmaceutical preparation, or any person who shall substitute, or cause to be substituted, one material for another, with the intention to defraud or deceive the purchaser, shall be guilty of a misdemeanor, and be liable to prosecution under this act. If convicted, he shall be liable to all the costs of the action and all expenses incurred by the board of pharmacy in connection therewith, and for the first offense be liable to a fine of not less than fifty dollars nor more than one hundred dollars, and for each subsequent offense a fine of not less than seventy-five nor more than one hundred and fifty dollars. On complaint being entered, the board of pharmacy is hereby empowered to employ an analyst or chemist expert, whose duty it shall be to examine into the so-called adulteration, substitution or alteration, and report upon the result of his investigation; and if said report justify such action, the board shall duly cause the prosecution of the offender, as provided in this law.

§ 14. No person shall sell at retail any poisons commonly recognized as such, and especially aconite, arsenic, belladonna, binioidide of mercury, carbolic acid, chloral hydrate, chloroform, conium, corrosive sublimate, creosote, croton oil, cyanide of potassium, digitalis, hydrocyanic acid, laudanum, morphine, nux vomica, oil of bitter almonds, opium, oxalic acid, strychnine, sugar of lead, sulphate of zinc, white precipitate, red precipitate, without affixing to the box, bottle, vessel or package containing the same, and to the wrapper or cover thereof, a label bearing the name of the article, and the word "poison" distinctly shown, with the name and place of business of the seller; who shall not deliver any of said poisons to any person under the age of fifteen years, nor shall he deliver any of said poisons to any person, without satisfying himself that such poison is to be used for a legitimate purpose: *Provided*, that nothing herein contained shall apply to the dispensing of physicians' prescriptions of any of the poisons or articles aforesaid. Any person failing to comply with the requirements of this section shall be liable to a penalty of five dollars for each and every such offense.

§ 15. All suits for the recovery of the several penalties prescribed in this act, shall be prosecuted in the name of the "People of the State of Illinois," in any court having jurisdiction; and it shall be the duty of the state's attorney of the county where such offense is committed, to prosecute all persons violating the provisions of this act, upon proper complaint being made. All penalties collected

under the provisions of this act shall inure, one-half to the board of pharmacy, and the remainder to the school fund of the county in which the suit was prosecuted and judgment obtained.

APPROVED May 30, 1881.

## PUBLIC FUNDS.

### CUSTODIANS TO PUBLISH ANNUAL STATEMENT.

§ 1. Officers publish statement of receipts and disbursements—Exemptions—Cost—Payment.

§ 2. Penalty for neglect or refusal.

AN ACT to require officers having in their custody public funds to prepare and publish an annual statement of the receipt and disbursement of such funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That each and every public officer, elected or appointed, of each and every county and township in this state, who shall, by virtue of his or her office, have the custody of public funds, shall, at the expiration of each fiscal year, prepare a statement of the amount of public funds received and expended by him or her during the fiscal year just closed; which statement shall show the amount of public funds, if any, on hand at the commencement of said fiscal year, the amount of public funds received, and from what sources received, the amount of public funds expended, and for what purposes expended; and the officer making such statement shall subscribe and swear to the same before some person authorized to administer oaths; and such officer shall cause such statement to be published in some newspaper published in the county in which such officer holds his or her office, for one week; and, if no newspaper be published in such county, then such officer shall make three (3) written copies of such statement, and post them in three (3) of the most public places nearest to the location of his or her office: *Provided,* that the provisions of this act shall not apply to sheriffs, circuit clerks, county clerks, county recorders, county superintendents of schools, county treasurers, county collectors and township collectors, in counties under township organization: *And, provided, further,* that the cost for the publication of said statement shall not exceed the sum of one dollar (\$1) per one hundred words, to be paid out of the funds in the hands of the officer making such statement: *And, provided, further,* that said public officer shall not be required to have said statement published if he shall be unable to procure such publication at the price allowed by this act.

§ 2. Any public officer of any county or township in this state, who, by virtue of his or her office, shall have the custody of public funds, and who shall refuse or neglect to comply with the provisions of the first section of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars (\$50), nor more than five hundred dollars (\$500), at the discretion of the court, which fine shall be paid into the treasury of the county or township in which the officer convicted of said misdemeanor shall hold his or her office; and it shall be the duty of the state's attorney for the county in which said misdemeanor is committed to bring suit against any public officer charged with the violation of the provisions of this act in any court having jurisdiction.

APPROVED May 30, 1881.

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## QUO WARRANTO.

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§ 1. When and at whose instance writ may issue.

AN ACT to amend section one (1) of an act entitled "An act to revise the law in relation to quo warranto," approved March 23, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act to revise the law in relation to quo warranto," approved March 23, 1874, in force July 1, 1874, be so amended that it read as follows:

"SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in case any person shall usurp, intrude into, or unlawfully hold or execute any office or franchise, or any office in any corporation created by authority of this state, (or any person shall hold or claim to hold or exercise any privilege, exemption or license, which has been improperly or without warrant of law issued or granted by any officer, board, commissioner, court, or other person or persons authorized or empowered by law to grant or issue such privilege, exemption or license), or any public officer shall have done or suffered any act which, by the provisions of law, works a forfeiture of his office, or any association or number of persons shall act within this state as a corporation without being legally incorporated, or any corporation does or omits any act which amounts to a surrender or forfeiture of its rights and privileges as a corporation, or exercises powers not conferred by law, or if any railroad company doing business in this

state shall charge an extortionate rate for the transportation of any freight or passenger, or shall make any unjust discrimination in the rate of freight or passenger tariff over or upon its railroad, the attorney-general or state's attorney of the proper county, either of his own accord or at the instance of any individual relator, may present a petition to any court of record of competent jurisdiction, or any judge thereof in vacation, for leave to file an information in the nature of a *quo warranto* in the name of the People of the State of Illinois; and if such court or judge shall be satisfied that there is probable ground for the proceeding, the court or judge may grant the petition and order the information to be filed and process to issue. When it appears to the court or judge that the several rights of divers parties to the same office or franchise, privilege, exemption or license, may properly be determined on one (1) information, the court or judge may give leave to join all of such persons in the same information, in order to try their respective rights to such office, franchise, privilege, exemption or license."

APPROVED May 27, 1881.

## RAILROADS.

### ESTABLISHES VALIDITY OF CONDITIONAL SALES AND LEASES OF ROLLING STOCK.

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| <p>§ 1. Contracts for lease or conditional sale of rolling stock valid between manufacturers and purchasers—<br/>Contracts limited to four years.</p> <p>§ 2. Instruments to be acknowledged.</p> <p>§ 3. Instruments to be recorded.</p> <p>§ 4. Certified copies of contracts admitted as evidence.</p> | <p>§ 5. Act not to apply to ordinary leases.</p> <p>§ 6. Contracts to be notice to creditors—<br/>When expire—Sworn statements to be filed annually with recorder.<br/>In force July 1, 1881.</p> |
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AN ACT to render valid leases, bailments and conditional sales of railway rolling stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* In all cases where any cars, carriages, locomotives or vehicles used upon railways shall be delivered to any person or persons, or corporation, by the manufacturer or builder thereof, under lease, bailment, conditional sale, or other contract providing that the title to the same shall remain in, or not pass from, the lessor, bailor or conditional vendor, until conditions fulfilled according to the terms of such contract, such contract shall be held and considered to be good, valid and effectual, according to the terms, tenor and effect thereof, both in law and in equity,

as against all persons whatsoever, when the same shall be reduced to writing, acknowledged, and filed for record, as hereinafter provided. The provisions of this act shall apply only to sales made by manufacturers to purchasers, and no contract made in pursuance hereof shall be good for a longer period than four (4) years, nor shall any such contract be renewed. And it shall be the duty of the managers of all such corporations to list and return such property for taxation the same as is done by all other railroads owning their own rolling stock in this state.

§ 2. The instrument of writing evidencing such contract shall be signed by the lessor, bailor or conditional vendor, and by the lessee, bailee or conditional vendee, or their agents, and acknowledged by one or other of them or their agents, in the same manner as provided by law for the acknowledgment of conveyances of real estate, and shall be filed for record in the recorder's office of each county through or into which the railroad availing itself of such additional purchase is operated.

§ 3. Such instruments, when properly acknowledged, shall be admitted to record at the request of any person interested, upon the payment of the legal fees, without regard to the residence of the parties.

§ 4. Every such instrument executed, acknowledged and recorded in pursuance of this act, may be read in evidence without any further proof of the execution thereof; and when it shall appear, by affidavit or otherwise, that the original thereof is lost or cannot be produced, a copy of the record thereof, certified by the recorder, may be read in evidence in the like manner and to the same effect as the original thereof.

§ 5. This act shall not apply to railway rolling stock leased in the ordinary way without condition regarding purchase and sale, nor shall it affect the legality of any instrument of sale or lease existing at the time of the passing of this act.

§ 6. Any and all contracts mentioned in section one (1) of this act, which shall be executed, acknowledged and recorded in pursuance of the provisions hereof, shall be held and considered to be full and sufficient notice to all persons whatsoever, but shall cease to be notice as against third persons after the expiration of the day the last payment thereunder, or other conditions thereof, shall become due or to be performed by the terms thereof: *Provided*, that the lessor, bailor or conditional vendor shall, within ten (10) days from the first of January in each year, file a sworn statement with the recorder of each county where the lease or sale bill provided for in section (1) of this act is recorded, and pay the recorder for putting the same on record, which statement shall show the names and dates and description of the said contract, and the amount due and unpaid thereon; and upon failure to make such statement, or if such statement is false, or made with the intent to deceive and mislead any creditor of said railroad, in any way, then such lessor, bailor or conditional vendor shall thereby lose all benefits which he or they would otherwise have under the provisions of this act, and any other person or creditor may treat the property described in such conditional contract for sale as though the sale had been

unconditional, and not subject to any lien for purchase money whatever, and may levy execution or attachment thereon, or purchase the same, freed from any lien of such lessor, bailor or conditional vendor.

APPROVED May 30, 1881.

## REVENUE.

### GENERAL LEVY.

§ 1. Taxes for revenue fund — School fund. | § 2. Computation of rate.

AN ACT to provide the necessary revenue for state purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there shall be raised by levying a tax, by valuation, upon the assessed taxable property in this state, the following sums for the purposes hereinafter set forth: For general purposes, to be designated "revenue fund," twenty-five hundred thousand dollars (\$2,500,000) upon the assessed value of property for the year 1881, and fifteen hundred thousand dollars (\$1,500,000) upon the assessed value of property for the year 1882; there shall also be raised by levying a tax by valuation upon the assessed taxable property for the years A. D. 1881 and 1882, in this state, for state school purposes, to be designated "state school fund," the following sums, to-wit: The sum of eight hundred and fifty thousand dollars (\$850,000) for the year 1881, upon the assessed taxable property, and the sum of one million dollars (\$1,000,000) for the year 1882 upon the assessed taxable property for the year 1882, in lieu of the two mill tax.*

§ 2. The governor and auditor shall annually compute the separate rates per cent. required to produce not less than the above amounts, anything in any other act providing a different manner of ascertaining the amount of revenue required to be levied for state purposes to the contrary notwithstanding; and when so ascertained, the auditor shall certify to the county clerks the proper rates per cent. therefor, and also such definite rates for other purposes as are now or may hereafter be provided by law, to be levied and collected as state taxes; and all laws and parts of laws in conflict with this act are hereby repealed.

APPROVED May 30, 1881.

## ACTION OF DEBT FOR RECOVERY OF TAX ON FORFEITED PROPERTY.

§ 1. Amends sec. 230, act 1872, as amended 1879. Suit may be commenced—by whom.

AN ACT to amend section 230 of an act entitled “An act for the assessment of property, and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872; approved May 29, 1879, in force July 1, 1879, as amended by an act approved May 29, 1879, in force July 1, 1879.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 230 of an act entitled “An act for the assessment of property, and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872: approved May 29, 1879, in force July 1, 1879, as amended by an act approved May 29, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows:

“Section 230. The county board may, at any time, institute suit in an action of debt, in the name of the People of the State of Illinois, in any court of competent jurisdiction, for the whole amount due on forfeited property: or any county, city, town, school district, or other municipal corporation, to which any such tax may be due, may, at any time, institute suit in an action of debt in its own name, before any court of competent jurisdiction, for the amount of such tax due any such corporation on forfeited property, and prosecute the same to final judgment. The county board may also, at any time, institute suit in an action of debt in the name of the People of the State of Illinois, in any court of competent jurisdiction, against any person, firm or corporation, for the recovery of any personal property tax due from such person, firm or corporation, and, in any such suit for the recovery of personal property tax, the return of the county collector that such taxes are delinquent, shall be *prima facie* evidence that such taxes are due and unpaid, but the fact that such taxes are due and unpaid may be proven by other competent testimony. This act shall apply to all taxes heretofore levied against any person, firm or corporation, and now upon any assessment book or roll, and on the sale of any property following such judgment, on execution or otherwise, any such county, city, town, school district, or other municipal corporation, interested in the collection of said tax, may become purchaser at such sale of either real or personal property, and if the property so sold is not redeemed (in case of real estate) may acquire, hold, sell and dispose of the title thereto, the same as individuals may do under the laws of this state; and, in any such suit or trial for forfeited taxes, the fact that real estate or personal property is assessed to a person, firm or corporation, shall be *prima facie* evidence that such person, firm or corporation was the owner thereof, and liable for the taxes for the year or years for which the assessment was made, and such fact may be proved by the introduction in evidence of the proper assessment book or roll, or other competent proof.”

APPROVED May 30, 1881.

## COLLECTORS' BOOKS—WHEN DELIVERED.

§ 1. Amends section 135, act 1872—County clerks deliver to collectors the books before Dec. 20, annually.

AN ACT to amend section one hundred and thirty-five (135) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one hundred and thirty-five (135) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, be amended so as to hereafter read as follows:

"Section 135. The respective county clerks shall, on or before the twentieth day after the first day of December, annually, or as soon thereafter as the collectors are duly qualified, deliver to them the books for the collection of taxes; and it shall be the duty of the collectors, within such time, or as soon thereafter as they are qualified, to call at the clerk's office and receive said books. The tax book, provided for collecting all taxes charged against railroad property and the capital stock of telegraph companies, shall be delivered to the county collector within the same time, annually, or as soon thereafter as he is qualified."

APPROVED May 31, 1881.

## LIENS ON REAL PROPERTY.

§ 1. Amends section 253, act 1872—First lien on real property—Foreclosure and sale in equity.

AN ACT to amend section two hundred and fifty-three (253) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two hundred and fifty-three (253) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, be and the same is hereby amended so as to read as follows:

"Section 253. The taxes upon real property, together with all penalties, interests and costs that may accrue thereon, shall be a prior and first lien on such real property, superior to all other liens and incumbrances, from and including the first day of May in the year in which the taxes are levied until the same are paid; which lien may be foreclosed in equity, in any court of competent juris-

diction, in the name of the People of the State of Illinois, whenever taxes for two or more years, upon the same description of property, shall have been forfeited to the state, and may be sold under the order of the court by the person having authority to receive state and county taxes, with the same notice to interested parties and right of redemption from said sale as is now provided by law, and in conformity with sections four (4) and five (5) of article IX, of the constitution of this state. In proceedings to foreclose the tax lien on any real property, the amount due on the collector's books against the said property shall be *prima facie* evidence of the amount of taxes against the real property. When any taxes are collected in any such foreclosure proceedings, they shall be paid to the county collector, to be distributed by him to the respective authorities entitled thereto."

APPROVED May 30, 1881.

#### COLLECTORS' RETURN OF BOOKS.

§ 1. Amends section 169, act of 1872, as amended 1873—Return of books by collectors—Delinquent list.

In force May 31, 1881.

AN ACT to amend section one hundred and sixty-nine (169) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended by an act approved May 3, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one hundred and sixty-nine (169) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended by an act approved May 3, 1873, be and the same is hereby amended to read as follows:

"Section 169. Town and district collectors shall return the tax books and make final settlement for the amount of taxes placed in their hands for collection, on or before the tenth day of March next after receiving the tax books: *Provided,* that the county collector may first notify, in writing, the several town or district collectors upon what day, within twenty days after the tenth day of March, they shall appear at his office to make final settlement; and at the time of making return to the county collector, each town or district collector in counties under township organization shall make out and deliver to the county collector a detailed statement, in writing, of the amount of taxes he has been unable to collect on real estate and from persons charged with personal property taxes, which state-

ment shall show each kind of tax, the same as in the tax book delivered to him by the county clerk, and shall show the number of the page of the tax book and the number of the line of the page on which the item appears to be delinquent; and in case where no taxes have been paid, on any one page on the collector's book, the page footings of the taxes on such page may be copied into such statement. It shall not be necessary to give in the statement the description of the real property delinquent, nor the names of the owners thereof, nor the names of the persons delinquent for personal property taxes. The town or district collector shall add up the delinquent taxes in said statement and make a summary thereof, setting forth the aggregate amount of each kind of tax, and the total delinquent, in the same manner as in his warrant, and shall make oath that said statement is true and correct."

§ 2. Whereas, there is no provision in the revenue law requiring the town or district collector to make a statement whereby a correct and satisfactory settlement can be made with the county collector, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 31, 1881.

§ 1. Amends certain sections of the general revenue law, as follows:

- 58. Listing real estate annually May 1
- 66. Books prepared by county clerks.
- 69. Books ready for delivery May 1.
- 70. Assessors to call for books.
- 76. Assessment of real estate.
- 86. Review of assessments—Notice.
- 89. Returns by assessors—Footings of columns.
- 90. Verify return by affidavit—Form.
- 92. Assessment books filed with county clerks.
- 98. County clerks return to auditor July 10—Itemized abstract.

§ 123. Collectors' books made out by county clerks.

§ 125. Books properly ruled in columns, showing valuation and equalized valuations.

§ 126. Extension of taxes by county clerks.

§ 128. State and county extension—Town, district, city and village.

§ 132. Collectors' warrants.

§ 163. Payment of taxes—Entry on book—Receipt.

§ 180. Receipt for taxes.

§ 2. Amends the act of 1872 by adding section 124, as follows:

§ 124. Collectors' books—How made up

AN ACT to amend an act entitled "An act to amend sections fifty-eight (58), sixty-six (66) as heretofore amended, sixty-nine (69), seventy (70), seventy-six (76), eighty-six (86), eighty-nine (89), ninety (90), ninety-two (92) as heretofore amended, ninety-eight (98), one hundred and twenty-three (123), one hundred and twenty-five (125), one hundred and twenty-six (126), one hundred and twenty-eight (128), one hundred and thirty-two (132), one hundred and sixty-one (161), one hundred and sixty-three (163), one hundred and seventy (170), one hundred and seventy-one (171), one hundred and seventy-two (172), one hundred and eighty (180), one hundred and eighty-one (181) as heretofore amended, one hundred and eighty-eight (188), one hundred and eighty-nine (189), one hundred and ninety (190), one hundred and ninety-three (193) as heretofore amended, one hundred and ninety-four (194), two hundred (200) and two hundred and eleven (211), of an act entitled 'An act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," and to add to said act an additional section, to be known as section one hundred and twenty-four (124).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections fifty-eight (58), sixty-six (66), sixty-nine (69), seventy (70), seventy-six (76), eighty-six (86), eighty-nine (89), ninety (90), ninety-two (92), ninety-eight (98) one hundred and twenty-three (123), one hundred and twenty-five (125), one hundred and twenty-six (126), one hundred and twenty-eight (128), one hundred and thirty-two (132), one hundred and sixty-three (163), one hundred and eighty (180), as heretofore amended by an act in force July 1, 1879, be and the same are hereby amended so as to read as follows:

“Section 58. All real property in this state, subject to taxation under this act, including real estate becoming taxable for the first time, shall be listed to the owners thereof, by such owners, their agents, county clerks, or assessors, or the county board, and assessed for the year one thousand eight hundred and eighty-one, and yearly thereafter, with reference to the amount owned on the first day of May in each year, including all property purchased on that day: *Provided*, that no assessment of real property shall be considered as illegal by reason of the same not being listed or assessed in the name of the owners thereof.”

“Section 66. The county clerk shall make up for the several towns or districts in his county, in books to be provided for that purpose, the lists of lands and lots to be assessed for taxes. When a whole section, half section, quarter section, or half-quarter section, belongs to one owner, it shall, at the request of the owner or his agent, be listed as one tract, and when all lots in the same block belong to one owner, they shall, at the request of the owner or his agent, be listed as a block. When several adjoining lots in the same block belong to the same owner, they shall, at the request of the owner or his agent, be included in one description: *Provided*, that when any tract or parcel of real estate is situated in more than one town, or in more than one school, road or other district, the portion thereof in each town or district shall be listed separately. Said clerk shall enter in the proper column, opposite the respective tracts or lots, the name of the owner thereof, so far as he shall be able to ascertain the same. Said books shall contain columns in which may be shown the number of acres or lots improved, and the value thereof; the number of acres or lots not improved, and the value thereof; the total value; and such other columns as may be required.”

“Section 69. The county clerk shall cause such assessment books, and all blanks necessary to be used by the assessor in the assessment of real and personal property, to be in readiness for delivery to the assessor on or before the first day of May in each year.

“Section 70. It shall be the duty of each county, town or district assessor to call on the county clerk on or before the first day of May in each year, and receive the necessary books and blanks for the assessment of property, and the failure of any assessor so to do, shall be deemed sufficient cause to declare his office vacant, and for the appointment of a successor.”

“Section 76. Assessors shall, between the first day of May and the first day of July of each year, actually view and determine, as nearly as practicable, the fair cash value of each tract or lot of land listed for taxation, and set down in proper columns, in the book furnished him, the value of each tract or lot improved, the value of each tract or lot not improved, and the total value. He shall also set down, in separate columns, the number of acres in wheat, corn, oats, meadow, and other field products, in inclosed pastures, orchards and woodlands, whether inclosed or not, in that year.”

“Section 86. In counties under township organization, the assessor, clerk and supervisor of the town shall meet on the fourth Monday of June, for the purpose of reviewing the assessment of property in such town. And on the application of any person considering himself aggrieved, or who shall complain that the property of another is assessed too low, they shall review the assessment, and correct the same, as shall appear to them just. No complaint that another is assessed too low shall be acted upon until the person so assessed, or his agent, shall be notified in writing of such complaint, if a resident of the county. Any two of said officers meeting are authorized to act, and they may adjourn from day to day, till they shall have finished the hearing of all cases presented on said day. Property assessed after the fourth Monday of June shall be subject to complaint to the county board, subject to the rules specified in this section.”

“Section 89. The assessor shall add up and note the aggregate of each column in his assessment books of real and personal property; and shall also add in each book, under proper headings, a tabular statement, showing the footings of the several columns upon each page; and shall add up and set down under the respective headings the totals of the several columns. When an assessor returns several assessment books of real or personal property, he shall, in addition to the tabular statements herein required, return a statement in like form, showing the totals of all the books.

“Section 90. The assessor shall, on or before the first day of July of the year for which the assessment is made, return his assessment books to the county clerk, verified by his affidavit, substantially in the following form:

STATE OF ILLINOIS, } ss.  
 ..... COUNTY. }

I, ....., assessor of ....., do solemnly swear that the book to which this is attached contains a correct and full list of all the real property (or “personal property,” as the case may be,) subject to taxation in ....., so far as I have been able to ascertain the same; and that the assessed value set down in the proper column opposite the several kinds and descriptions of property is, in each case, the fair cash value of such property, to the best of my knowledge and belief, (where the assessment has been corrected by a town board, “except as corrected by the town board,”) and that the footings of the several columns in said book, and tabular statement returned herewith, are correct, as I verily believe.”

“Section 92. The several assessment books shall be filed in the office of the county clerk, and there remain open to the inspection of all persons: *Provided*, that the county clerk shall, in the month of April, deliver to the town clerks of the several towns in the county the assessment books of their respective towns for the previous year, such books to be returned by the town clerks to the county clerk’s office before the first of July of the same year.”

"Section 98. On or before the tenth day of July, annually, it shall be the duty of the county clerks, upon the receipt of the assessment books, to make out and transmit to the auditor an abstract of the assessment of property, showing the number, value and average value of each kind of enumerated property, as shown by the assessment; the value of each item of unenumerated property, and total value of personal property; the length of main track, the length of side track, and the numbers, values and average values of each separate item of railroad property; the number of acres, value and average value of improved lands; the number of acres, value and average value of unimproved lands; the total number of acres, total value and average value, per acre, of all lands; the number, value and average value of improved town and city lots; the number, value and average value of unimproved town or city lots; the total number of lots, total value and average value of all lots, and the total value of all property; the number of acres in cultivation of wheat, corn, oats, meadow, and other field products in inclosed pasture, orchards and woodland, whether inclosed or not in that year. Said abstracts shall be made out on blanks, which it shall be the duty of the auditor to furnish the county clerks for that purpose. The values to be given in said abstract shall be the assessed valuations, except in the case of railroad property denominated "railroad track" and "rolling stock," the value of which shall be given as returned by the railroad company to the county clerk. The county clerk shall, at the same time, and accompanying said abstract, furnish a detailed statement of the railroad property denominated "railroad track" and "rolling stock," reported by each road located in or through their counties. If there are any roads so located that have not made their reports as required by this act, the clerk shall report the fact, giving the name of such railroad."

"Section 123. The county clerk shall, annually, make out for the use of collectors, in books to be furnished by the county, correct lists of taxable property, as assessed and equalized."

"Section 125. The respective county clerks shall cause the collectors' books to be properly ruled for the several classes of property, providing for each class three columns for values—the first to show the assessed valuation; the second to show the valuation as corrected and equalized by the county board; and the third to show the valuation as equalized or assessed by the state board of equalization. Said books to contain proper columns for the extension of the several kinds of taxes, and other purposes.

"Section 126. Said clerks shall extend the rates of addition or deduction ordered by the county board and state board of equalization, in the several columns provided for that purpose. The rates per cent. ordered by the state board of equalization shall be extended on the assessed valuation of property, as corrected and equalized by the county board—except, that in case of railroad property denominated "railroad track" and "rolling stock," said rates shall be extended on the listed valuations of such designated property. In all cases of extension of valuations, where the equalized valuation shall happen to be fractional, the clerk shall reject

all such fractions as may fall below fifty cents; fractions of fifty cents or more shall be extended as one dollar."

"Section 128. All state and county taxes shall be extended by the respective county clerks upon the property in their counties, upon the valuation produced by the equalization and assessment of property by the state board of equalization. Town, district, village, city and other taxes shall also be extended against such assessed and equalized valuation of property within their respective jurisdictions. In the extension of taxes, the fraction of a cent shall be extended as one cent."

"Section 132. To each collector's book a warrant, under the hand and official seal of the county clerk, shall be annexed, commanding the collector to collect from the several persons named in said book the several sums entered in the column of totals opposite their respective names. The warrant shall direct the collector to pay over the several kinds of taxes that may be collected by him to the respective officers entitled thereto, less the compensation for collection allowed him by law."

"Section 163. Whenever any person shall pay the taxes charged on any property, the collector shall enter such payment in his book, and give a receipt therefor, specifying for whom paid, the amount paid, what year paid for, and the property and value thereof on which the same was paid, according to its description in the collector's books, in whole or in part of such description, as the case may be; and such entry and receipt shall bear the genuine signature of the collector or his deputy receiving such payment; and whenever it shall appear that any receipt for the payment of taxes shall be lost or destroyed, the entry so made may be read in evidence in lieu thereof. The collector shall enter the name of the owner or the person paying tax opposite each tract or lot of land when he collects the tax thereon, and the postoffice address of the person paying such tax."

"Section 180. On the application of any person to pay any tax or special assessment upon any real property, it shall be the duty of the county collector to make out to such person a receipt, in which shall be noted all taxes and assessments upon such property returned to such collector and not previously paid."

§ 2. Such act is hereby amended by adding thereto the following, to be known as section one hundred and twenty-four (124):

"Section 124. In counties not under township organization, such book shall be made up by congressional townships; but parts of fractional townships, less than full townships, may be added to full townships, at the discretion of the county board. In counties under township organization, said books shall be made to correspond with the organized townships. Separate books may be made for the collection of all taxes within the corporate limits of cities, towns and villages. This section shall not be construed to interfere with the tax book provided for in this act, for the use of county collectors, for collecting all taxes charged against railroad property and the capital stock of telegraph companies."

APPROVED June 2, 1881.

## LANDS FORFEITED TO STATE.

§ 1. Amends section 203, act of 1874—Lands forfeited to state—When taxes exceed value of land, may be again sold.

AN ACT to amend section two hundred and three of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two hundred and three of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, be and the same is hereby amended to read as follows:

"Section 203. Every tract or lot so offered at public sale, and not sold for want of bidders, shall be forfeited to the state of Illinois: *Provided, however,* that whenever the county judge, county clerk and county treasurer shall certify that the taxes on forfeited lands equals or exceeds the actual value of such lands, the officer directed by law to expose for sale lands for delinquent taxes, shall, on the receipt of such certificate, offer for sale to the highest bidder the tract or lands, in such certificate described, after first giving ten days' notice of the time and place of sale, together with a description of the tract or lands so to be offered. And a certificate of purchase shall be issued to the purchaser at such sale as in other cases in this act provided; and the county collector shall receive credit, in his settlement with the custodian of the several funds for which such tax was levied, for the amount not realized by such sale. And the amount received from any such sale shall be paid by such collector, *pro rata*, to the custodian of the several funds entitled thereto."

APPROVED June 2, 1881.

## SALE OF FORFEITED PROPERTY.

§ 1. Amends act of 1872, by requiring tax—Amount for which delinquent property has been forfeited, to be added to tax each year—County collector to list and sell—Counties, cities, towns and school districts may purchase property sold for taxation—Additions and sales to be continued from year to year.

In force July 1, 1881.

AN ACT to amend section two hundred and twenty-nine (229) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two hundred and twenty-

nine (229) of an act entitled "An act for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, be and is hereby amended to read as follows:

"Section 229. The amount due on lands and lots previously forfeited to the state, and remaining unpaid on the first day of November, shall be added to the tax of the current year, and the amount thereof shall be reported against the county collector, with the amount of taxes for said year; and the amount so charged shall be placed on the tax books, collected and paid over in like manner as other taxes. The county collector is hereby authorized to advertise and sell said property, in the manner hereinbefore required by this act, as if said property had never been forfeited to the state; and the county, city, town or school district may, by their agent, attend such sale for taxes, and buy said lands and acquire the same rights that individuals now have under the law; and acquire, hold, sell and dispose of said title thereto the same as and in the same manner as individuals may do under the laws of this state, in case of sale for taxes. Said additions and sales shall be continued from year to year until the taxes on said property are paid, by sale or otherwise."

APPROVED May 31, 1881.

## SCHOOLS.

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| <p>§ 1. Amends certain sections of the act of 1872, as amended 1879, as follows:</p> <p>§ 11. County superintendent—Election—Qualification—Duties.</p> <p>§ 27. Elections for trustees—Manner of conducting.</p> <p>§ 33. Districts—Organization, etc.</p> <p>§ 34. Distribution of funds.</p> <p>§ 48. Directors—Body corporate—Duties and powers.</p> | <p>§ 53. Teachers keep daily registers—Form—Schedules—Form—Directors' certificate—Form.</p> <p>§ 54. Return of schedule to township treasurer—School month—Holidays.</p> <p>§ 57. Township treasurers—Loan funds—Security—Statement of fund made annually to county superintendent.</p> <p>In force July 1, 1881.</p> |
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AN ACT to amend sections eleven (11), twenty-seven (27), thirty-three (33), thirty-four (34), forty-eight (48), fifty-three (53), fifty-four (54) and fifty-seven (57) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, and in force July 1, 1872, and amended by an act approved June 3, 1879, and in force July 1, 1879.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections eleven (11), twenty-seven (27), thirty-four (34), thirty-three (33), forty-eight (48), fifty-three (53), fifty-four (54) and fifty-seven (57), as amended, of the aforesaid act, be amended so as to read as follows:

“Section 11. On the Tuesday next after the first Monday in November, 1882, and every four (4) years thereafter, there shall be elected by the qualified voters of every county in this state, a county superintendent of schools, who shall perform the duties required by law, and shall enter upon the duties of his office on the first Monday of December after his election. He shall, before entering upon his duties, take the oath prescribed by the constitution, and execute a bond payable to the state of Illinois, with two (2) or more responsible freeholders as security, to be approved by the county board, or judge and clerk of the county court, in penalty of not less than \$12,000, to be increased at the discretion of said board, conditioned that he will faithfully perform all the duties of his office according to the laws which are or may be in force, by which bond the obligors shall be bound jointly and severally, and upon which an action or actions may be maintained by the board of trustees of the proper township, for the benefit of any township or fund injured by any breach; and the county board of each of the counties of this state shall, in the month of December, A. D. 1881, appoint a county superintendent of schools, who shall be the successors in office, respectively, of the county superintendents of schools then in office, and the term of office of the then officers so appointed shall be one (1) year and until the election and qualification of their successors.”

“Section 27. The time and manner of opening, conducting and closing said election, and the several liabilities appertaining to the judges and clerks, and to the voters separately and collectively, and the manner of contesting said election, shall be the same as prescribed by the general election laws of this state defining the manner of electing magistrates and constables, so far as applicable, subject to the provisions of this act: *Provided*, that said election may commence, if so specified in the notice, at any hour between the hours of eight (8) A. M. and one (1) P. M., and the judges may close such election at four (4) P. M.: *And, provided, further*, that in townships where, for general elections, there is more than one (1) polling place, the trustees shall give notice that at each of said polling places a poll will be opened for such election, in which case at least one (1) of said trustees shall attend at each of said places, and additional judges shall be chosen as provided in section twenty-six (26) of the act to which this is an amendment; should the polling places be in excess of the number of trustees, then the voters at such polling places so in excess shall select from their number the requisite number of voters, who shall act as judges of said election, in the manner provided by said section twenty-six (26). And in counties adopting township organization, in each and every township whose boundaries coincide and are identical with those of the town, as established under the township organization laws, the trustee or trustees shall be elected at the same time and in the same manner as the town officers; and all elections heretofore held at such time and in such manner in such townships are hereby legalized. And in all such townships, if no trustees are elected at the stated town meeting, and when vacancies occur in the board,

an election of trustee or trustees shall be ordered by the trustees of schools, through the township treasurer, as provided in the twenty-fifth (25th) section of this act."

"Section 33. Trustees of schools in newly organized townships shall lay off the township into one or more districts, to suit the wishes and convenience of a majority of the inhabitants of the township, and shall prepare or cause to be prepared a map of the township, on which map shall be designated the district or districts, to be styled, when there are more than one (1) district, 'District No. . . . , in township No. . . . , range . . . of the . . . P. M. (according to the proper numbers, county of . . . , and state of Illinois.' And when petitioned so to do, as hereinafter provided, they may, having discretion in the matter, at the regular meeting in April, change such districts as lie wholly within their townships, so as to divide or consolidate districts, to organize a new district out of territory belonging to two (2) or more districts, or to detach territory from one (1) district and add the same to another district adjacent thereto. And at the same meeting, by the concurrent action of the several boards of trustees of the townships in which the district or districts affected lie, each board being petitioned as hereinafter provided, the same changes may be made in the boundaries, both of districts which lie in separate townships but adjacent to each other, and of districts formed of parts of two (2) or more townships: *Provided*, that none of these changes shall be made unless petitioned for—(1) by a majority of the legal voters of each of the districts affected by the proposed change; or, (2) by two-thirds ( $\frac{2}{3}$ ) of the legal voters living within certain territory, described in the petition, asking that said territory be detached from one district and added to another; or, (3) by two-thirds ( $\frac{2}{3}$ ) of all the legal voters living within certain territory, containing not less than ten (10) families, asking that said territory be made a new district. But in case any territory be set off from any district that has a bonded debt, the change not being petitioned for by a majority of the legal voters of said district, such district shall remain liable for the payment of such bonded debt, as if not divided. The directors of the original district having such bonded debt, and of the district into which the territory taken from such original district has been incorporated or formed, shall constitute a joint board for the purpose of determining and certifying, and they shall determine and certify to the county clerk the amount of tax required yearly for the purpose of paying the interest and principal of such bonded debt, which tax shall be extended by the county clerk against all the property embraced within such original district, as if it had not been divided: *Provided, also*, that in school districts having a population of not less than one thousand (1,000) inhabitants, any desired change of boundaries may be submitted to the trustees by a vote of the people, instead of by petition, as hereinbefore set forth; and when petitioned so to do by twenty-five legal voters of the district, the school board of the district shall submit the question of change desired to the voters of said district, at a special election called for that purpose, and held at least thirty (30) days prior to the regular meeting of the trustees at which they consider change

of district boundaries. If a majority of the votes cast at any such election shall be in favor of the change proposed, then, due return of the election having been made to the township treasurer, the township trustees shall consider and take action, the same as if petitioned therefor by a majority of the legal voters of such district; but no question of change of boundaries shall be submitted to a vote of the school district more than once in any one (1) year: *Provided, further*, that no petition shall be acted upon by any board of trustees unless it shall have been filed with the clerk of said board of trustees twenty (20) days before the regular meeting in April, nor unless a copy of said petition, together with a notice, in writing, which notice may be in the following form, to-wit:

"The directors of district No. .... in township No. .... range .. ..... of the .... principal meridian, will take notice that the undersigned have made and filed with the clerk of the board of trustees of said township their petition, a copy of which is herewith handed to you.

shall be delivered by the petitioners, or some one of them, at least ten (10) days before the date at which the petition is to be considered, to the president or clerk of the board of directors of each district whose boundaries will be changed if the petition is granted. When, at the regular meeting of the trustees in April, any such petition shall come before the trustees, it shall be the duty of the trustees to ascertain, first, whether the foregoing provisions have been strictly complied with; and if it shall appear that they, or either of them, have not been complied with, in such case the board shall adjourn the hearing for not longer than four (4) weeks, in order that the foregoing provisions may be complied with; but there shall be but one (1) adjournment for such purpose. If, on the day of the regular meeting, or at the adjourned meeting, it shall appear that such provisions have been complied with, then the trustees shall consider the petition, and shall also hear any legal voters living in the district or districts that will be affected by the change if made, who may appear before them to oppose the petition; and they shall grant or refuse the prayer of the petitioners without unreasonable delay. But the petitioners or the legal voters, who have appeared before the trustees at the meeting when the petition was considered, and opposed the same, shall have the right of appeal to the county superintendent of schools: *Provided*, the party appealing files with the clerk of the trustees a written notice of appeal within ten (10) days after final action upon the petition by the trustees. Whenever any changes, as provided in this section, are made by the trustees of schools, if no appeal is taken to the county superintendent, the clerk of the trustees shall make a complete copy of the record of the action of the trustees, which copy shall be certified by the president of the trustees and the clerk, who shall file the same, together with a map of the township showing the districts, and an accurate list of the tax-payers of the newly arranged districts, with the county clerk within twenty (20) days of the action of the trustees. When the trustees of schools shall organize a new district under the provisions of this section, it shall be the duty of the clerk of the trustees, if no appeal is taken to the county superintendent, to order, within fifteen (15) days after the action of the trustees, an election, to be held at some convenient

time and place, within the boundaries of such newly organized district, for the election of three (3) school directors, notice being given by the township treasurer, who shall post up three (3) notices of such election in three (3) prominent places in said district, at least ten (10) days prior to the time appointed for holding such election, which notices shall specify the place where such election is to be held, the time for opening and closing the polls, and the object of said election. It shall be the duty of the legal voters present, five (5) of whom shall constitute a quorum, to appoint three (3) of their number, two (2) of whom shall act as judges, and one (1) as clerk, of said election. Within ten (10) days after the election, it shall be the duty of the directors elected at said election, to meet at some convenient time and place, previously agreed upon by said directors, and organize as a district board, by appointing one (1) of their number president, and also some suitable person clerk of the board, who shall, by virtue of his office, be clerk of the district. At this first meeting of the directors, they shall draw lots for their respective terms of office for one (1), two (2) and three (3) years, each of which shall be considered a fractional term, ending at each annual meeting, according to the length of term drawn. When an appeal is taken from the action of the trustees to the county superintendent, the clerk of the trustees shall, within five (5) days after the written notice of the appeal has been filed with him by the appellants, transmit all the papers in the case, with a transcript of the records of the trustees, showing their action thereon, to the county superintendent, and in case of an appeal the township treasurer shall be required to take no further action in the matter, except upon the order of the county superintendent, whose duty it shall be to investigate the case upon such appeal; and if, in his opinion, the change asked is for the best interests of the district or districts concerned, he shall make such change or changes, but if he considers the proposed change unadvisable, he shall refuse to make it, and shall reverse, if need be, the action of the trustees, and shall give the clerk from whom he received the papers immediate notice of such refusal, and his action shall be final and binding. If the changes asked by the petitioners shall be made by the county superintendent, he shall notify in writing the clerk by whom the papers in the case were transmitted to him, of his action, and the clerk shall thereupon make a record of the same, and shall, within ten days thereafter, make a copy of the same and the map and list of taxpayers, and deliver them to the county clerk for filing and record by him, the same as if the change had been ordered by the trustees. And in case a new district is organized by the action of the county superintendent, the clerk shall, within five (5) days thereafter, order an election of directors in the new district the same as if the change had been made by the board of trustees. Whenever a new district has been formed by the trustees or by the county superintendent, from a part of a district or from parts of two (2) or more districts, the trustees of the township or townships concerned shall proceed forthwith to make a distribution of any tax funds or other funds which are in the hands of the treasurer, or to which the district may, at the

time of such division, be entitled, so that both the old and new districts shall receive parts of such funds in proportion to the amount of taxes collected, next preceding such division, from the taxable property in the territory composing the several districts. If the new district be composed of parts of two (2) or more districts, the trustees shall make distribution of said funds between the new district and the old districts respectively, so that the new district shall receive a distribution of the funds of each of the old districts in the proportion which the amount of taxes collected from the property in the territory of the new district bears to the whole taxes collected, next before the division, in the old district; and the town treasurer shall forthwith place the sum so distributed to the credit of the respective districts, and shall immediately place the proportion of the said funds to which said new district may be entitled to its credit on his books, and the funds on hand shall be subject at once to the order of the directors of the new district, and those not on hand, as soon as collected. The trustees of the township or townships concerned, shall, at the time of the creation of a new district, or within the period of thirty (30) days thereafter, proceed to the appointment of three appraisers, who shall not be citizens of the township or townships interested. It shall be the duty of said appraisers, within thirty days after their appointment, to appraise the school property, both real and personal, of the district or districts interested, at their [its] fair cash value. Within thirty (30) days after such appraisalment, the trustees of the township or townships concerned shall proceed to charge the property to the district in which it may be found, and to credit the other district interested therein with its proportion of such valuation: *Provided*, that the *bona fide* debts, if any, of the old district, shall first be deducted and the balance charged and credited as aforesaid, and of the funds then on hand, or subsequently to accrue, belonging to such district to which such property is charged, the trustees shall direct the treasurer to place to the credit of the district not retaining said property its proportion of the value of said property. If trustees shall fail to observe the provisions of this section in reference to distribution of funds and property, they shall be individually and jointly liable to the district interested, in an action on the case, to the full amount of the damages sustained by the district aggrieved. Where trustees have heretofore failed to make distribution of property to districts, as provided in this section, any district interested in the making of such distribution may, by its directors, request the trustees, in writing, to proceed to make such distribution; and said trustees shall proceed to make distribution in the manner herein prescribed, and shall be liable in like manner for neglect or failure. The clerk of any board of trustees who shall fail, neglect or refuse to perform the duties imposed upon him by this section, or any of them, within the time and in the manner prescribed, shall, for each offense, forfeit not less than ten dollars (\$10) nor more than twenty-five dollars (\$25) of his pay as clerk of the board of trustees and township treasurer, which forfeiture shall be enforced by the trustees. If any school district shall, for two (2) consecutive years, fail to maintain a public school, as required by law to do, it shall be

the duty of the trustees of schools of the township or townships in which such district lies, to attach the territory of such district to one (1) or more adjoining school districts; and, in case said territory is added to two (2) or more districts, to divide the property of said district between the districts to which its territory is added, in the manner hereinbefore provided for the division of property in case a new district is organized from part of another district, and the action of the trustees in such a case shall be final and binding; and the clerk of the trustees in such cases shall file a copy of the record of the same, together with the map and list of taxpayers, with the county clerk, as in other cases of change of district boundaries. The majority of the legal voters of a district lying in two (2) or more townships may secure the dissolution of said district by petitioning the several boards of trustees of said townships, at their regular meeting in April, that each will add the territory belonging to said district in its township to one (1) or more adjoining districts. Upon receipt of such petition, or returns of such election, the several boards of trustees shall each make such disposition of the territory of said district as lies in its township, and they shall jointly make such division of the property of said district between the districts to which its territory is attached, as is hereinbefore provided in the case of the organization of a new district from a part of another district; and the action of the trustees, in accordance with such petition or election, shall be final and binding, and the clerks of the several boards of trustees in such case shall file a copy of the record of the same, together with the map and list of taxpayers, with the county clerk, as in other cases of change of district boundaries.

“Section 34. At the regular semi-annual meetings, on the first Mondays of April and October, the trustees shall ascertain the amount of state, county and township funds on hand and subject to distribution, and shall apportion the same as follows:

*First*—Whatever may be due for the compensation and the books of the treasurer, and such sum as may be deemed reasonable for dividing school lands, making plats, etc.

*Second*—The remainder shall be divided among the districts or fractions of districts in which schools have been kept in accordance with the provisions of this act, and the instructions of the state and county superintendents, during the preceding year ending June 30, in proportion to the number of children under twenty-one (21) years of age in each: *Provided*, that no district which shall show by schedules filed on or before the meeting of the trustees in October, 1881, that it has had a legal school for one hundred and ten (110) days during the year preceding, shall be deprived of a share of the funds distributed at that and the next regular meeting of the trustees. The funds thus apportioned shall be placed on the books of the treasurer to the credit of the respective districts, and the same shall be paid out by the treasurer on the legal orders of the directors of the proper districts.”

“Section 48. The directors of each district are hereby declared a body politic and corporate, by the name of ‘school directors of district No. . . . , township No. . . . , range . . . . , county of . . . . , and the state of Illinois,’ and by that name may sue and be sued in all

courts and places whatever. Two (2) directors shall be a quorum for business. The directors shall be liable as directors for the balance due teachers, and for all debts legally contracted. They shall establish and keep in operation for at least one hundred and ten (110) days of actual teaching in each year, without reduction by reason of closing schools upon legal holidays, or for any other cause, and longer if practicable, a sufficient number of free schools for the accommodation of all children in the district over the age of six (6) and under twenty-one (21) years, and shall secure to all such children the right and opportunity to an equal education in such free schools. They shall adopt and enforce all necessary rules and regulations for the management and government of the schools, and shall visit and inspect the same, from time to time, as the good of the schools may require. They shall appoint all teachers, fix the amount of their salaries, and may dismiss them for incompetency, cruelty, negligence, immorality, or other sufficient cause. They shall have power to assign pupils to the several schools. They shall direct what branches of study shall be taught, and what text books and apparatus shall be used in the several schools, and strictly enforce uniformity of text books therein, but shall not permit text books to be changed oftener than once in four (4) years. They shall have power to purchase, at the expense of the district, a sufficient number of the text books used to supply children whose parents are not able to buy them. The text books bought for such purpose shall be loaned only; and the directors shall require the teacher to see that they are properly cared for and returned at the end of each term of school. They may suspend or expel pupils who may be guilty of gross disobedience or misconduct, and no action shall lie against them for such expulsion or suspension; and may provide that children under twelve (12) years of age shall not be confined in school more than four (4) hours daily. It shall not be lawful for a board of directors to purchase or locate a school house site, or to purchase, build, or move a school house, or to levy a tax to extend schools beyond nine (9) months, without a vote of the people at an election called and conducted as required in the forty-second (42d) section of this act; a majority of the votes cast shall be necessary to authorize the directors to act: *Provided*, that if no one locality shall receive a majority of all the votes cast at such election, the directors may, if in their judgment the public interests require it, proceed to select a suitable school house site; and the site so chosen by them shall, in such case, be legal and valid, the same as if it had been determined by a majority of the votes cast; and the site so selected by either of the methods above provided shall be the school house site for such district; and said district shall have the right to take the same for the purpose of a school house site, either with or without the owner's consent; and in case the compensation to be paid for such site cannot, for any reason, be agreed upon or determined between the school directors and the parties interested in the land taken for such site, then it shall be the duty of the directors of such district to proceed to have such compensation determined in the manner which may be at the time provided by law for the exercise of the right of eminent domain:

Provided, that no tract of land lying outside the limits of any incorporated city or village, and lying within forty [40] rods of the dwelling house of the owner of the land, shall be taken for a school site without the owner's consent."

"Section 53. Teachers shall keep correct daily registers of their schools, which shall exhibit the name, age and attendance of each pupil, the day of the week, the month and the year. Said registers shall be as nearly as may be in the following form, the absence of each scholar being signified by a mark, the presence by a blank, viz :

REGISTER of a common school kept by A B at ..... in district number ....., in township number ....., range ....., of the .... principal meridian, in the county of..... in the state of Illinois:

NAMES AND AGES OF SCHOLARS ATTENDING SCHOOL.		Total No. of days each scholar														
		1874. Friday.	1874. Thursday.	1874. Wednesday.	1874. Tuesday.	1874. Monday.	1874. Friday.	1874. Thursday.	1874. Wednesday.	1874. Tuesday.	1874. Monday.	1874. Friday.	1874. Thursday.	1874. Wednesday.	1874. Tuesday.	1874. Monday.
Names.	Ages.	1874. Friday.	1874. Thursday.	1874. Wednesday.	1874. Tuesday.	1874. Monday.	1874. Friday.	1874. Thursday.	1874. Wednesday.	1874. Tuesday.	1874. Monday.	1874. Friday.	1874. Thursday.	1874. Wednesday.	1874. Tuesday.	1874. Monday.
John Smith.....	10	..	1	..	..	..	1	1	1	1	1	..	..	..	..	1
Isaac Meister.....	13	..	..	1	..	..	1	1	1	1	1	..	..	..	..	1
Sarah Danforth.....	16	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Mary Newman.....	18	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Grand total number of days.....		..	1	..	..	..	1	1	1	1	1	..	..	..	..	64
		Males.				Females.				Total.						
Number of scholars.....		2				2				4						
Average daily attendance.....		3.2														

Said registers shall be furnished to the teachers by the school directors, and each teacher shall, at the end of his term of school, return his register to the clerk of the school board of the district. Teachers shall make schedules of the names of all scholars under twenty-one (21) years of age attending their schools, in the form prescribed by this act; and when scholars reside in two (2) or more districts, townships or counties, separate schedules shall be kept for each district, township or county. The schedule to be made and returned by the teacher shall be, as near as circumstances will permit, in the following form, viz :

SCHEDULE of a common school kept by ..... at ..... in district number .... in township number ...., range number ...., of the ... principal meridian, in the county of ..... in the State of Illinois. Names and ages of scholars residing in district number .... in township number .... north, range ... west, ..... county, who have attended my school during the time beginning the ..... day of ....., 18.. and ending the ... day of ..... 18.., during which time the school was in session ..... school days.

Names.	Ages.	Days attended.
John Smith.....	10	15
Isaac Meisler.....	13	11
Sarah Danforth.....	16	20
Mary Newman.....	18	18
Grand total number of days' attendance.....		64

	Males.	Females.	Total.
Number of scholars.....	2	2	4
Average daily attendance.....			3.2

And said teacher shall add up the whole number of days' attendance of each scholar, and make out the grand total number of days' attendance. He shall also note the whole number of scholars, giving the males and females separately, the average daily attendance, and shall set the age of each pupil opposite the name of said pupil, as in form above prescribed, and shall attach thereto his certificate, which shall be in the following form, viz:

I certify that the foregoing schedule of scholars attending my school, as therein named, and residing as specified in said schedule, to the best of my knowledge and belief, is correct.

A..... B....., Teacher.

When the teacher shall have completed his or her schedule or schedules, as above required, he or she shall deliver it to some one (1) of the directors, who shall give the teacher a receipt for the same, and it shall be the duty of said director, in connection with one (1) other director of the board, to carefully examine such schedule or schedules, and after correcting all errors, if they shall find such schedule to have been kept according to law, they shall certify to the same, as near as practicable, in the following form, viz:

STATE OF ILLINOIS, }  
 .....COUNTY. } ss.

We, the undersigned, directors of (or members of boards of education) ..... in township number ..... range number ..... in the county aforesaid, certify that we have examined the foregoing schedule and find the same to be correct, and that the school was conducted according to law; that the teacher is paid as per contract, ..... dollars per .....; that the said teacher has a legal certificate of ..... grade, and that the property of the district in charge of such teacher has been satisfactorily accounted for.

Witness our hands this ..... day of ....., 18..

.....  
 .....  
 .....

Directors.

Teachers' wages are hereby declared due and payable monthly; and upon certifying to the schedule as aforesaid, the directors may at once make out and deliver to the teacher an order upon the township treasurer for the amount named in the schedule; which order shall state the rate at which the teacher is paid according to his contract, the limits of the time for which the order pays, and that the directors have duly certified a schedule covering this time. But it shall not be lawful for the directors to draw an order until they have duly certified to the schedule; nor shall it be lawful for the directors after the date for filing schedules, as fixed by law, to certify any schedule not delivered to them before that date by the teacher, when such schedule is for time taught before the first of July preceding, nor to give an order in payment of the teacher's wages for the time covered by such delinquent schedule. If any order drawn for the payment of a teacher is presented to the township treasurer for payment, and is not paid for want of funds, the treasurer shall make a written statement over his signature by an endorsement upon such order, with date, showing such presentation and non-payment, and shall make and keep a record of such endorsement. Such order shall thereafter draw interest at the rate of eight (8) per cent. per annum, until paid, or until the treasurer shall in writing notify the clerk of the board of directors that he has funds to pay such order, and of said notice the treasurer shall make and keep a record; and after giving such notice he shall hold the funds necessary to pay such order until it is presented for payment, and such orders shall draw no interest after the giving of said notice to said clerk of the board.

"Section 54. Schedules made and certified as aforesaid, and covering all time taught during the school year ending June 30, shall, on or before the seventh day of July, annually, be delivered by the directors to the township treasurer; and the directors shall be personally liable to the district for any loss sustained by it through their failure to examine and deliver to the township treasurer all schedules within the time fixed by law. The school month shall be the same as the calendar month; but teachers shall not be required to teach upon Saturdays, legal holidays—these being new year's, fourth of July, and christmas, and thanksgiving and fast days appointed by the national or state authority; nor shall they be required to make up the time lost by closing school upon such days or upon such special holidays as may be granted the schools by the board of directors."

"Section 57. Township treasurers shall loan, upon the following conditions, all moneys which shall come to their hands by virtue of their office, except such as may be subject to distribution. The rate of interest shall not be less than six (6) per cent. nor more than eight (8) per cent. per annum, payable half yearly in advance, the rate of interest to be determined by a majority of the township trustees, at any regular or special meeting of their board. No loans shall be made for less than six (6) months, or more than five (5) years. For all sums not exceeding one hundred dollars (\$100), loaned for not more than one (1) year, two (2) responsible sureties shall be given; for all sums over one hundred dollars (\$100.) and for all loans for more than one (1) year, security shall be given by

mortgage on real estate, unincumbered, in value double the amount loaned, with a condition that in case additional security shall at any time be required, the same shall be given to the satisfaction of the board of trustees for the time being: *Provided*, that nothing herein shall prevent the loaning of township funds to boards of school directors, taking bonds therefor, as provided in section forty-seven (47) of this act. Notes, bonds, mortgages and other securities taken for money or other property, due or to become due to the board of trustees for the township, shall be payable to the said board by their corporate name; and in such name suits, actions and complaints, and every description of legal proceedings, may be had for the recovery of money, the breach of contracts, and for every legal liability which may at any time arise or exist, or upon which a right of action shall accrue to the use of this corporation: *Provided, however*, that notes, bonds, mortgages and other securities in which the name of the county superintendent or of the trustees of schools are inserted, shall be valid to all intents and purposes; and suit shall be brought in the name of the board of trustees as aforesaid. The wife of the mortgagor (if he has one) shall join in the mortgage given to secure the payment of money loaned by virtue of the provisions of this act. Where there is a surplus of funds in the treasurer's hands belonging to any school district, he may loan the same for the use and benefit of said district, upon the written request of the directors of such district, and not otherwise; and all such loans shall be on the same conditions as are prescribed in this section for the loaning of township funds. The township treasurer shall, on or before the thirtieth (30th) day of September, annually, prepare and deliver to the county superintendent of his county a statement, verified by affidavit, showing the exact condition of the township funds. Said statement shall contain a description of the securities, bonds, mortgages and notes belonging to the township, giving names of securities, dates, amounts of loan, rate of interest, when due, and all data by which a full understanding of the condition or the funds may be obtained. The county superintendent shall preserve said statement for the use of the township.

APPROVED May 31, 1881.

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APPOINTMENT OF DIRECTORS AND MEMBERS OF BOARDS OF EDUCATION IN CITIES.

§ 1. Amends act of 1879, making it the duty of mayors to nominate—  
Council to confirm—Failure to confirm—Vacancies.

§ 2. Emergency.  
In force May 30, 1881.

AN ACT to amend an act to amend section (2) of an act entitled "An act to provide for the appointment of school directors and members of boards of education in certain cases," approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of the aforesaid act be amended so as to read as follows:

"Section 2. It shall be the duty of the mayor of such city, at the first regular meeting of the city council in the month of June, 1881, to nominate and place before the council for confirmation as school directors or members of the board of education, as the case may be, two (2) persons from each ward of said city, one (1) from each ward to serve for two (2) years, and one (1) for one (1) year, and annually thereafter he shall nominate one (1) from each ward to serve for two (2) years, and if the person so appointed shall be confirmed by a majority vote of the city council, to be entered of record, the persons so appointed shall constitute the board of education, or school directors for such school district. Should the council fail to confirm any person or persons nominated by the mayor at such meeting, he may, at the next, or any subsequent meeting, nominate other persons for confirmation, as hereinbefore provided; and should a vacancy or vacancies occur in any board of education or school directors, the mayor may, at any regular meeting of the city council, fill such vacancy or vacancies in the manner above set forth."

§ 2. Whereas, owing to the necessity for this act to take effect in time for the appointment of the officers therein named for the present year, an emergency exists, therefore this act shall be in force from and after its passage.

APPROVED May 30, 1881.

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REGULATES PAYMENT OF FUNDS TO SCHOOL TREASURERS.

§ 1. Requires notice to be given to presidents of boards and clerks of districts, of payment of funds to treasurers.

In force July 1, 1881.

AN ACT to regulate the payment of moneys into the hands of township school treasurers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of county treasurers, county superintendents of schools, township collectors, and all other persons paying money into the hands of township school treasurers, for school purposes, on or before the thirtieth day of September of each year, to notify, in writing, the presidents of boards of school trustees and the clerks of the school districts, the amount paid into the township treasurer's hands, and the date of payment.

APPROVED May 30, 1881.

## STATE CHARITABLE INSTITUTIONS.

## ADMISSION OF PATIENTS.

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| <p>§ 1. Districts the state for admission of patients.</p> <p>§ 2. Quota of patients in each county.</p> <p>§ 3. Counties required to make settlements for pauper patients.</p> <p>§ 4. In case of neglect of counties to make settlement, <i>mandamus</i> may issue.</p> | <p>§ 5. Beds not assigned to counties may be used without regard to counties.</p> <p>§ 6. Transfer of patients to proper district.</p> <p>§ 7. Repeals of new laws.<br/>In force July 1, 1881.</p> |
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AN ACT to secure equality among the counties in the matter of the admission of patients into the state hospitals for the insane; and to provide for the transfer of patients from one hospital to another; and for settlement with such hospitals by the counties; and to repeal former acts upon the same subject.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That from and after the first of July, 1881, the state shall be divided into four (4) districts, for the purpose of regulating the admission of patients into the state hospitals for the insane, as follows:*

The Illinois Northern Hospital for the Insane, at Elgin, shall be set apart for the accommodation and care of the insane of the counties of Boone, Carroll, DeKalb, DuPage, JoDaviess, Kane, Kendall, Lake, LaSalle, Lee, McHenry, Ogle, Stephenson, Whiteside, Winnebago, and a portion of the insane of Cook county.

The Illinois Eastern Hospital for the Insane, at Kankakee, shall be set apart for the insane of the counties of Ford, Grundy, Iroquois, Kankakee, Livingston, Vermilion, Will, Champaign, and a portion of the insane of Cook county.

The Illinois Central Hospital for the Insane, at Jacksonville, shall be set apart for the insane of the counties of Adams, Brown, Bureau, Calhoun, Cass, Christian, DeWitt, Fulton, Greene, Hancock, Henderson, Henry, Jersey, Knox, Logan, Macon, Macoupin, Marshall, Mason, McDonough, McLean, Menard, Mercer, Montgomery, Morgan, Peoria, Piatt, Pike, Putnam, Rock Island, Sangamon, Schuyler, Scott, Stark, Tazewell, Warren and Woodford.

The Illinois Southern Hospital for the Insane, at Anna, shall be set apart for the insane of the counties of Alexander, Bond, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Madison, Marion, Massac, Monroe, Moultrie, Perry, Pope, Pulaski, Randolph, Richland, Saline, Shelby, St. Clair, Union, Wabash, Washington, Wayne, White and Williamson.

§ 2. Each of the counties of this state shall hereafter be entitled to have and keep in the hospital, at all times, a number of patients proportioned to its population, in the ratio of one (1) patient to every two thousand (2000) of the population of said county, as shown by the census of 1880, as per the following schedule:

Counties.	Number of patients.	Counties.	Number of patients.
Adams.....	30	Lee.....	14
Alexander.....	7	Livingston.....	19
Bond.....	7	Logan.....	13
Boone.....	6	Macon.....	15
Brown.....	7	Macoupin.....	19
Bureau.....	17	Madison.....	25
Calhoun.....	4	Marion.....	12
Carroll.....	8	Marshall.....	8
Cass.....	7	Mason.....	8
Champaign.....	20	Massac.....	5
Christian.....	14	McDonough.....	14
Clark.....	11	McHenry.....	12
Clay.....	8	McLean.....	30
Clinton.....	9	Menard.....	7
Coles.....	14	Mercer.....	10
Cook.....	304	Monroe.....	7
Crawford.....	8	Montgomery.....	14
Cumberland.....	7	Morgan.....	16
DeKalb.....	13	Moultrie.....	7
DeWitt.....	9	Ogle.....	15
Douglas.....	8	Peoria.....	28
DuPage.....	10	Perry.....	8
Edgar.....	13	Piatt.....	8
Edwards.....	4	Pike.....	17
Effingham.....	9	Pope.....	7
Fayette.....	12	Pulaski.....	5
Ford.....	8	Putnam.....	3
Franklin.....	8	Randolph.....	13
Fulton.....	21	Richland.....	8
Gallatin.....	6	Rock Island.....	19
Greene.....	12	Saline.....	8
Grundy.....	8	Sangamon.....	26
Hamilton.....	8	Schuyler.....	9
Hancock.....	18	Scott.....	5
Hardin.....	3	Shelby.....	15
Henderson.....	6	Stark.....	6
Henry.....	18	St. Clair.....	31
Iroquois.....	18	Stephenson.....	16
Jackson.....	11	Tazewell.....	14
Jasper.....	7	Union.....	9
Jefferson.....	10	Vermilion.....	21
Jersey.....	8	Wabash.....	5
Jo Daviess.....	14	Warren.....	12
Johnson.....	7	Washington.....	11
Kane.....	22	Wayne.....	11
Kankakee.....	12	White.....	12
Kendall.....	7	Whiteside.....	15
Knox.....	20	Will.....	27
Lake.....	11	Williamson.....	10
LaSalle.....	35	Winnebago.....	15
Lawrence.....	7	Woodford.....	11

Of the three hundred and four (304) beds assigned to the county of Cook, seventy-five (75) shall be in the hospital at Kankakee, and two hundred and twenty-nine (229) at Elgin, and the county court of said county shall have the right to send any individual patient to one or the other of the said hospitals, at the discretion of the court, in accordance with the circumstances in each case, but not exceeding the quota herein named.

§ 3. The county board, or board of supervisors, as the case may be, of all counties from which there are or hereafter may be patients committed as paupers to either of the state hospitals for the insane, is hereby directed and required to make settlement in full, as often as once in every six (6) months, for all just charges for clothing and other proper incidental expenses, and to pay the amount due said hospitals in money, or negotiable paper worth its face without discount.

§ 4. In case any county shall fail and refuse to pay any just and reasonable account presented by any of the state hospitals for the insane, and the same shall remain unpaid for one (1) year after it is due, then the trustees of the said hospital shall apply to the circuit court in and for the said delinquent county, for a writ of *mandamus* upon the county treasurer of said county, requiring him to pay the said over-due account; and, upon proof made of the justice of the claim, the circuit court shall issue such writ.

§ 5. All beds not assigned to the several counties, as per schedule in section two (2) of this act, shall be reserved for the reception and care of recent cases of insanity, or other cases having special claim to relief, without respect to the counties from which such cases are sent; and in case the hospital at Kankakee shall be completed or partially completed before the next session of the general assembly, the trustees may admit patients, at discretion, from outside the district in which said hospital is situated; but they shall give the preference to applications for the admission of such patients as are capable of labor on and about the grounds of the hospital, in order that the state may receive the benefit of such labor.

§ 6. Any patients who may be in any state hospital for the insane from outside the limits of the district for which said hospital is designed, as expressed in the first section of this act, shall, as soon after this act takes effect as may be convenient, be transferred to the hospital in and for the district to which they belong; and the expenses of such transfer shall be defrayed from the state treasury, in the same manner as the cost of conveying convicts to the penitentiary is defrayed: *Provided*, that the bills rendered for this service shall show all the items of expense actually incurred, and be accompanied by sub-vouchers for each item, and no amount shall be allowed or paid by the auditor of public accounts in excess of such actual expense.

§ 7. An act entitled "An act to secure equality among the counties in the matter of the admission of patients into the state hospitals for the insane," approved April 10, 1875, and an act entitled "An act to secure equality among the counties in the matter of the admission of patients into the state hospitals for the insane, and to provide for settlement with such hospitals by the counties," approved May 25, 1877, are hereby repealed.

APPROVED May 28, 1881.

## SURVEY.

## UNITED STATES COAST AND GEODETIC SURVEY.

§ 1. Authorizes entrance upon lands and erection of necessary works thereon.

§ 2. Failure to agree as to amount of damages—May condemn land.

§ 3. Penalty for destruction of landmarks or signals.

In force July 1, 1881.

AN ACT relating to the operations of the United States coast and geodetic survey.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any person employed under and by virtue of an act of congress of the United States, approved the tenth day of February, one thousand eight hundred and seven, and of the supplements thereto, for the survey of the coasts of the United States, or, under the direction of congress, to form a geodetic connection between the Atlantic and Pacific coasts, and to furnish triangulation points for state surveys, may enter upon lands within this state, for the purpose of exploring, triangulating, leveling, surveying, and of doing any other act which may be necessary to carry out the object of said laws, and may erect any works, stations, buildings and appendages requisite for that purpose, doing no unnecessary injury thereby.

§ 2. If the parties interested cannot agree upon the amount to be paid for damages caused thereby the United States of America may proceed to condemn said land, as provided by "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872.

§ 3. If any person shall willfully deface, injure or remove any signal, monument, building, or other property of the United States coast and geodetic survey, constructed or used under or by virtue of the acts of congress aforesaid, he shall forfeit a sum not exceeding fifty dollars for each offense, and shall be liable for damages sustained by the United States, in an action on the case in any court of competent jurisdiction.

APPROVED April 21, 1881.

## TENEMENT HOUSES.

## INSPECTION REQUIRED IN CITIES OF 50,000 INHABITANTS.

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| <p>§ 1. Architects and builders to file plans of buildings with health commissioners—Approval of same as to ventilation, etc.</p> <p>§ 2. Plumbers to receive written instructions from health commissioners.</p> <p>§ 3. Plumbers to notify health commissioners on completion of work—Inspection of same.</p> | <p>§ 4. Penalty for violation by architects</p> <p>§ 5. Penalty for violation by plumbers.</p> <p>§ 6. Emergency.<br/>In force July 1, 1881.</p> |
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*AN ACT for the regulation and inspection of tenement and lodging houses, or other places of habitation.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of any architect or architects, builder or builders of, or other person or persons interested in any projected tenement, lodging house, or other places of habitation, in any incorporated city of fifty thousand (50,000) inhabitants, to submit plans and specifications of any such building or buildings to the health commissioner or commissioners of such incorporated city; that the said health commissioner or commissioners may examine the said plans and specifications, for his or their approval or rejection, as to the proposed plans for the ventilation of rooms, light and air shafts, windows, ventilation of water closets, drainage and plumbing.

§ 2. It shall be the duty of any plumber or other person or persons interested in the contract for the plumbing work of such building or buildings, to receive a written certificate of instruction from the health commissioner or commissioners before commencing work on the said building or buildings, and to proceed according to the plans, specifications and instructions, as approved by the health commissioner or commissioners of said city.

§ 3. It shall be the duty of any plumber or other person or persons interested in the plumbing work, after the completion of said plumbing work, and before any of the said plumbing work is covered up in any building or buildings, or on the premises connected with said building or buildings, to notify, in writing, the health commissioner or commissioners that said building or buildings, or other premises, are now ready for inspection, and it shall be unlawful for any plumber or other person or persons to cover up or in any way conceal such plumbing work in or about such building or buildings until the health commissioner or commissioners approve of the same.

§ 4. If any architect or architects, builder or builders, violate the provisions of this act, he or they shall be fined in a sum not less than one hundred (100) nor more than two hundred (200) dollars for each offense.

§ 5. If any plumber or other person or persons interested in the plumbing work violate any of the provisions of this act, he or they shall be fined in the sum not less than one hundred (100) nor more than two hundred (200) dollars for the first offense, and the further

penalty of ten dollars (\$10) for each and every day such plumbers or other interested person or persons shall, after first conviction, neglect or refuse to comply with any provisions of this act, or the written instructions of the health commissioner or commissioners, and for the second offense a like penalty and a forfeiture of his or their license to do business in said city for one (1) year after conviction.

§ 6. [Emergency.] Inasmuch as the health of the people is endangered, an emergency exists, requiring this act to take effect immediately, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 30, 1881.

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## VENUE.

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### CAUSE OF CHANGE.

§ 1. Amends section 21, act 1879.

Affidavit of two persons, to remove prejudice to judge.

AN ACT to amend section twenty-one (21) of an act entitled "An act to revise the law in relation to change of venue."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section twenty-one of an act entitled "An act to revise the law in relation to change of venue," in force July 1, 1874, as amended by an act in force July 1, 1879, be and the same is hereby amended so as to read as follows:*

"Section 21. When the cause for a change of venue is the prejudice of the judge, or any two of them, the petition shall be accompanied by the affidavits of at least two reputable persons, residents of the county, and not of kin or counsel to the applicant, stating that they believe the judge, or any two of them, as the case may be, are so prejudiced against the applicant that he can not have a fair and impartial trial; and thereupon the case may be tried by any other of the circuit judges of the circuit in which the case is pending, and the venue shall not be changed from the county in which the indictment is found in such case."

APPROVED May 31, 1881.

## WATER WORKS.

## PERMITS CHANGE OF SOURCE OF SUPPLY.

- § 1. Cities owning or operating water works permitted to change source of supply.
- § 2. Board of water commissioners or city council may construct, lease and maintain wells, with the approval of a majority of legal voters—Surplus earnings only to be expended for such purpose,

- § 3. Emergency.  
In force May 27, 1881.

AN ACT to aid cities owning or operating water works to secure an additional or better supply of pure water.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all cities owning or operating water works under any charter granted by act of any general assembly of this state, or under the general incorporation laws of this state, whether by boards of water commissioners or by officers appointed for that purpose, are hereby granted the following powers and privileges, for the purpose of increasing or bettering the source of supply from which such water is obtained.

§ 2. Whenever, in the judgment of a majority of any board of water commissioners, or if there be no such board, then in the judgment of a majority of the city council of any city owning or operating such water works, it shall be necessary for the public health, or for any other cause, to increase the source of water supply, or to substitute for it such better source as, in their judgment, the interests of such city may demand, such board of water commissioners or city council may, in addition to the powers already conferred upon them by act of any general assembly of this state, construct wells, either by boring or excavation, and protect and equip the same after construction, or may lease water privileges from private parties or corporations owning wells already or hereafter to be constructed, and may pay for such construction or lease, and for the expenses maintained in operating the same, out of any earnings of such water works under their control which may be in their hands at the time of the taking effect of this act, or which may accrue to them hereafter: *Provided,* that no money shall be expended under the provisions of this act, for the purposes herein specified, until the question of the expenditure of such money for the purposes aforesaid shall have been submitted to a vote of the people of the city in which such water works may be situated, at any election for city officers or special election called for that purpose by the city council of said city, and shall have received a majority of the votes cast at such election: *Provided, further,* that no money shall be expended under the provisions of this act, for the purposes aforesaid, other than the surplus earnings of such water works.

§ 3. Whereas an emergency exists, this act shall be in force from and after its passage.

APPROVED May 27, 1881.

## WILLS.

## §1. Probate of wills—Evidence and depositions.

AN ACT to amend section four (4) of an act entitled “An act in regard to wills,” approved March 20, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section four (4) of an act entitled “An act in regard to wills,” approved March 20, 1872, in force July 1, 1872, be amended so as to read as follows:

“Section 4. When any will, testament or codicil shall be produced to the county or probate courts for probate of the same, and any witness attesting such will, testament or codicil shall reside without the limits of this state, or the county in which such will, testament or codicil is produced for probate, or shall be unable to attend said court, it shall be lawful for such county or probate court, upon the application of any person asking for probate thereof, and upon such notice to persons interested as such county or probate court may, by special order, direct, to issue a *dedimus potestatem*, or commission, under the seal of the court annexed to such will, testament or codicil, together with such interrogatories in chief and cross-interrogatories as may be filed in said court, or as said court may direct to be propounded to such witness or witnesses; touching the execution of such will, testament or codicil, which commission shall be directed to any judge, master in chancery, notary public, justice of the peace, mayor or other chief magistrate of a city, United States consul or vice-consul, consular agent or secretary of legation, authorizing and requiring him to cause such witness or witnesses to come before him at such time and place as he may designate and appoint, and faithfully to take his, her or their depositions, on oath or affirmation, upon all such interrogatories as may be enclosed with or attached to such commission, and none other, and certify the same when thus taken, together with the said commission and interrogatories, into the court out of which such commission issued, with the least possible delay. When so taken and returned unto the court, such deposition or depositions shall have the same operation, force and effect, and such will, testament or codicil shall be admitted to probate in like manner, as if such oath or affirmation had been made in the court from whence such commission issued. Whenever a commission shall issue to any officer above mentioned, not by name but simply by his official title, then the seal of his office attached to his certificate shall be sufficient evidence of his identity and official character.”

APPROVED May 27, 1881.

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## JOINT RESOLUTIONS.

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### SENATE.

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#### CONCERNING PRESENTATION OF PORTRAIT OF HON. STEPHEN T. LOGAN.

WHEREAS, the late Stephen T. Logan was alike distinguished as a lawyer and legislator of this state, and his family have signified their intention to present to the state, as a fixture of the supreme court room in this capitol, his life-size portrait by the artist Healy; therefore,

*Resolved by the Senate, the House of Representatives concurring herein,* That the judges of the supreme court be requested to receive, on behalf of the state, the portrait aforesaid, and that they make such order as to its disposition as they deem proper, and consistent with the object of the donation.

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#### CONCERNING CHICAGO SEWAGE IN ILLINOIS AND MICHIGAN CANAL.

WHEREAS, the state of Illinois, in general assembly, did, on the sixteenth day of February, 1865, grant and authorize the city of Chicago, in the state of Illinois, to deepen the Illinois and Michigan canal for the purpose of, and with the intent to better the system of sewerage of the said city of Chicago by permitting a free flow of water from Lake Michigan through the Chicago river and said canal to the DesPlaines and Illinois rivers; and the city of Chicago did perfect said improvement in conformity with said permission; and

WHEREAS, the great fire in the said city of Chicago on the eighth and ninth days of October, A. D. 1871, did so greatly damage the assessable property of a very large number of its citizens and taxpayers, and the People of the State of Illinois did, by its general assembly, refund to the said city of Chicago the amount of the cost of deepening the Illinois and Michigan canal, said sum refunded being in gross two millions nine hundred and fifty-five thousand three hundred and forty dollars; and

WHEREAS, the deepening of the canal as aforesaid has proved to be totally inadequate for the purposes intended, and the large amount of sewage of the city of Chicago being far greater than the

capacity of the canal and the water now passing through it to deodorize and render innocuous; and

WHEREAS, the foulness of the water annually causes the death of millions of fish in the DesPlaines and Illinois rivers, that float to the shores and decay; and

WHEREAS, said sewage, in an entirely undecomposed and putrid mass, is carried by the current of the canal into the DesPlaines river, and thence into the Illinois river, and in its foulest conditions is thus transported to and below the city of Peoria, in said state, rendering the air, at all points along its passage, so impure and foul as to be exceedingly offensive, and taking with it germs of disease of all kinds prevalent in the city of Chicago, and thus spreading them broadcast through the entire DesPlaines and Illinois river valleys, causing thereby much illness as well as poisoning of the blood, and debilitating the systems of 200,000 people; and

WHEREAS, careful investigation leads our people to fear that an epidemic may spread over said section of the state of Illinois from the causes above stated; and

WHEREAS, in addition to the above distress, there has been a great loss to property, business industries, and to the communities in said region, by reason of the causes herein mentioned; and

WHEREAS, prior to the deepening of said Illinois and Michigan canal, the water necessary for all purposes of navigating said canal and propelling of machinery was obtained from the DesPlaines river and the Calumet feeder, through Lane's lake; and

WHEREAS, the bed of the DesPlaines river, at the Summit and thence westward along the line of and adjacent to the canal, is, at a low stage of water, eight (8) feet above the surface level of the canal, and will average a supply of water sufficient for all canal and power purposes during the seasons of navigation; and

WHEREAS, the supplying of the canal from these sources will so dilute and weaken the sewage of the city of Chicago, as to greatly relieve it of its foulness and stench, to the great delight, relief and health of the people near to and bordering upon the line of the canal, the DesPlaines and Illinois rivers; therefore, be it

*Resolved by the Senate, the House of Representatives concurring herein,* That the Board of Canal Commissioners of the Illinois and Michigan canal be, and they are hereby, directed to cause sluiceways of sufficient capacity, with the proper guard-gates, to be opened from the DesPlaines river to the canal, at or near the Summit, in Cook county, and at or near Lemont, in Cook county, and also to construct a dam across the former Calumet feeder at such suitable point as will cause the waters from Lane's lake to flow into the canal; that said canal commissioners shall immediately commence, construct and improve said sluices and feeders in the order named, and pay for the same out of any moneys in their hands or control as canal commissioners, resulting from the earnings of the canal. The amount to be expended as above designated in the prosecution of said improvement shall not, however, exceed the sum of ten thousand dollars: *Provided,* that the canal commissioners shall first confer with the mayor or other proper authorities of the city of Chicago, and if said city shall proceed without delay to cause a

flow into the canal from the Chicago river sufficient to dilute and purify the waters, and thus remedy the evils complained of, said flow to be not less than 60,000 cubic feet per minute, including the ordinary flow into the canal from the Chicago river, or so much thereof as in their judgment said canal can carry, and if this shall be accomplished by the first day of September, 1881, the commissioners shall accept it in lieu of obtaining a supply of water from the other sources named: *Provided, further*, that said commissioners are hereby directed to take care of the 60,000 cubic feet per minute, above contemplated, if so furnished by the city of Chicago: *Provided, further*, that the adoption of this resolution shall not commit the state to a system of permanent drainage of Chicago sewage through either the canal or DesPlaines or Illinois rivers, but that the state reserves the right to require the city of Chicago, in future years, to take care of its sewage through other channels: *And, provided, further*, that if the said city of Chicago shall erect pumping works for the purpose of causing such flow as aforesaid, the canal commissioners shall allow the said city to erect said pumping works upon the canal lands in Bridgeport; and said city shall support, control and manage said pumping works, subject to the direction of the canal commissioners, relative to the amount of water to be received into the canal, from time to time, as the exigencies of the canal may require, but at the expense of the said city of Chicago: *Provided, further*, that the city of Chicago, its officers, agents or employes, shall derive from this resolution no right to control or exercise any authority over any of the gates, locks or dams of said canal.

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CONCERNING THE SPREAD OF PLEURO-PNEUMONIA AMONG CATTLE.

WHEREAS, the interests of this state have already sustained serious injury by reason of the restrictions thrown around the exportation of cattle from this country into Great Britain, such restrictions being based upon the supposed prevalence of the disease known as "pleuro-pneumonia" among cattle in parts of the eastern states of this Union, and are exposed to still further injury from the possible dissemination of said disease among the cattle of this state; therefore, be it

*Resolved by the Senate, the House of Representatives concurring herein*, That our representatives in congress be requested, and our senators be instructed, to use their influence and endeavors to have the congress of the United States enact such laws as shall tend to terminate and bring to an end, in the United States, the disease known as pleuro-pneumonia among cattle, and establish, by national authority, a rigid system of inspection of all cattle for the export trade.

## CONCERNING PRINTING FOR THE GENERAL ASSEMBLY.

*Resolved by the Senate, the House of Representatives concurring herein,* That there be printed once each week, for the use of the general assembly, 200 copies of the Senate synopsis of bills and House bills in Senate, and 300 copies of House synopsis of bills and Senate bills in House; that the said synopsis show the number of the bill, by whom introduced, abstract of title, and condition of the bill; that the secretary of state be instructed to have the order to print issued as of class 2, and that the work be set, each bill in a paragraph, without rules, and with one lead between each paragraph.

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 CONCERNING THE APPOINTMENT OF A JUSTICE TO SUCCEED JUSTICE SWAYNE  
 IN THE UNITED STATES SUPREME COURT.

WHEREAS, it is currently reported that a vacancy will soon occur in the Supreme Court of the United States occasioned by the resignation of Mr. Justice Swayne; and

WHEREAS, the seventh judicial circuit has now no representative in said court; therefore, be it

*Resolved by the Senate of the State of Illinois, the House of Representatives concurring herein,* That the president of the United States be and he is hereby respectfully asked, in case such vacancy occurs, to nominate to fill the same some qualified person from the seventh judicial circuit.

*Resolved,* That the secretary of state be instructed to at once forward a copy of this resolution to the president of the United States.

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 CONCERNING MICHAEL DAVITT.

*Be it resolved by the Senate of the State of Illinois, the House of Representatives concurring herein,* That we regard the arbitrary action of the British government in re-arresting Michael Davitt and suspending the Irish representatives in Parliament, as a flagrant violation of popular rights, a menace to constitutional liberty, and calculated to intensify the spirit of just opposition it was intended to crush.

*Resolved,* That our heartiest sympathy is extended to the Irish people in their struggle for their natural and inherent rights, and

that we hope to see their love of liberty soon crowned with the blessing of national independence.

*Resolved*, That we approve and admire the able and untiring efforts of that noble patriot, Hon. C. S. Parnell, to secure an equitable arrangement of the Irish land question, and obtain a just recognition of the rights of the tillers of the soil.

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INSTRUCTING THE ATTORNEY-GENERAL TO INSTITUTE LEGAL PROCEEDINGS  
AGAINST THE KANKAKEE RIVER IMPROVEMENT COMPANY.

WHEREAS, the attorney-general did, on the 4th day of February, A. D. 1881, in answer to a resolution of the senate, submit his opinion as to the rights of "The Kankakee River Improvement Company," claiming to be the successors of "The Kankakee and Iroquois Navigation and Manufacturing Company," that said company had forfeited every right to exist longer, by reason of its continued and persistent violation of every promise it had made, and that by an application to the courts, by *quo warranto* or *scire facias*, it would be declared to have forfeited all its rights, and the state would be reinstated in all its natural and supreme control of those waters; therefore, be it

*Resolved by the Senate, the House of Representatives concurring herein*, That the attorney-general be and is hereby instructed to immediately institute such legal proceedings as he may deem most expedient in behalf of the state, to judicially determine the rights of the state in such waters, in accordance with the views expressed in said opinion.

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ASKING AN APPROPRIATION FROM CONGRESS TO IMPROVE THE KANKAKEE  
AND IROQUOIS RIVERS.

WHEREAS, the Kankakee river, in the state of Illinois, can be made navigable through the counties of Will and Kankakee to the Indiana state line, a distance of nearly fifty miles; and

WHEREAS, the Iroquois river can be made navigable from the place where it empties into the Kankakee river to the Indiana state line, a distance of forty-five miles; and

WHEREAS, the United States surveys show that such improvement is perfectly feasible; and

WHEREAS, the legislature of the state of Indiana has passed a joint resolution, asking congress to appropriate one hundred thousand dollars to improve said rivers in the state of Indiana; therefore, be it

*Resolved by the Senate of the State of Illinois, the House of Representatives concurring herein,* That our senators in congress be instructed and our representatives requested to urge and favor an appropriation of one hundred thousand dollars by the general government, to improve said Kankakee and Iroquois rivers.

*Resolved,* That the secretary of state forward a copy of this resolution to each member of congress from the state of Illinois.

CONCERNING JOINT COMMISSION TO REPORT ON CONDITION OF CHRONIC  
INSANE.

WHEREAS, the county boards of twenty-eight counties of this state have memorialized the present general assembly, praying that this body would make such additional provision for the chronic insane as may be found necessary, either by enlarging the present institutions, or by establishing new ones, or by aiding and assisting the counties properly to care for their insane; and,

WHEREAS, it is believed that there are nearly or quite four thousand insane persons in the state, of whom about two thousand only are provided for in the state institutions; and,

WHEREAS, there are probably not less than twelve hundred insane persons upon the county farms and county poor farms; therefore, be it

*Resolved by the Senate, the House of Representatives concurring herein,* That a joint commission of the general assembly, to consist of three members of the house and two members of the senate, be appointed by the president of the senate and speaker of the house of representatives, to consider the whole subject of the condition and necessities of the insane of Illinois, and to report to the next general assembly, by bill or otherwise.

*Resolved,* That the commissioners herein provided for shall not receive, for the services required of them, a sum in excess of five dollars each per day, for so many days as may be necessary for their investigations, and for the preparation of their report, not exceeding thirty days in all, but their actual reasonable traveling expenses shall be paid.

HOUSE.

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## CONCERNING CANVASS OF VOTES FOR STATE OFFICERS.

*Resolved by the House of Representatives, the Senate concurring therein,* That the two houses meet in joint session in the hall of representatives, on Friday, the 7th day of January, A. D. 1881, at the hour of ten o'clock A. M., for the purpose of canvassing the returns of election held on the 2d day of November, A. D. 1880, for state officers, as required by law.

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## CONCERNING OFFICIAL NOTIFICATION TO STATE OFFICERS OF THEIR ELECTION.

*Resolved by the House of Representatives, the Senate concurring therein,* That a joint committee of three on the part of the house, and two on the part of the senate, be appointed to wait on the Hon. Shelby M. Cullom and inform him of his election to the office of governor of this state; that they also inform the Hon. John M. Hamilton of his election to the office of lieutenant-governor; that they also inform the Hon. H. D. Dement of his election to the office of secretary of state; that they also inform the Hon. Charles P. Swigert of his election to the office of auditor of public accounts of the state of Illinois; that they also inform the Hon. Edward Rutz of his election to the office of state treasurer of the state of Illinois; that they also inform the Hon. James McCartney of his election to the office of attorney-general, and inquire of them at what hour on the second Monday of January, 1881, they will meet the two houses for the purpose of taking the oath of office.

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## CONCERNING INAUGURAL CEREMONIES.

*Resolved by the House of Representatives, the Senate concurring therein,* That the two houses meet in joint session at the hour of 2 o'clock P. M., on the 10th day of January, 1881, for the purpose of witnessing the inauguration ceremonies of the governor and other state officers elect.

CONCERNING GRANTING OF PENSIONS TO SURVIVORS OF BLACK HAWK,  
MEXICAN AND FLORIDA WARS.

WHEREAS, it has been the policy of the United States government to grant pensions to the patriotic soldiers who upheld and maintained the hour and perpetuity of the Union, from the organization of the government; therefore,

*Resolved by the House of Representatives of the State of Illinois, the Senate concurring herein,* That our senators be instructed and our representatives be requested to advocate the passage of laws providing for the granting of pensions to all living soldiers of the government who were in the service of the government in the Black Hawk, Florida and Mexican wars, and to all widows of such soldiers, excluding therefrom all persons who took up arms against the government in the rebellion, or who held office under the confederate government during such rebellion.

CONCERNING EMPLOYES OF GENERAL ASSEMBLY APPOINTED BY THE SECRETARY OF STATE.

*Resolved by the House of Representatives, the Senate concurring herein,* That the secretary of state is hereby directed and authorized to appoint the following employes, who shall serve during the session of this general assembly, who shall be paid from the moneys appropriated by an act making an appropriation for the payment of the officers and members of the next general assembly, and for the salaries of the officers of the state government, approved May 29, 1879, in force July 1, 1879: *Provided,* that no preference shall be given to any one by said secretary on account of race, color, religion or politics, but fitness for the duties to be performed shall alone govern the secretary:

Section 1. A practical printer at the office of the contractor for first class of public printing, to read proof of bills, at two dollars and a half per day.

Section 2. A practical book-binder, to estimate the amount of paper in each book returned from printer, and to pass on all work done by the binder, at two dollars and a half per day.

Section 3. One messenger to carry manuscript bills to printer, at two dollars per day.

Section 4. One superintendent of janitors, at two dollars and a half per day.

Section 5. One janitor to act as assistant superintendent, at two dollars per day.

Section 6. One janitor for private office and clerk's room of secretary of state, at two dollars per day.

Section 7. One janitor for the library and indexing department, at two dollars per day.

Section 8. And the following employés, who shall each receive two dollars per day: To attend to the gates, walks and approaches to the building, and to keep the north and east front steps free from snow, ice, mud, etc., two men—these two men, when not otherwise engaged, to assist in loading and unloading heavy packages received and shipped by the package department, and to do other necessary work in the basement.

Section 9. For supplying the house and senate tanks with ice and well water, and attending to the various other tanks in the rotunda and corridors, one man.

Section 10. For the north, east and south grand corridors, one man each.

Section 11. For grand stairway and marble tiling from the law library, below, to the geological museum above, including water-closet No. 14, two men.

Section 12. For the south stairway from the first floor, including entrance to the house of representatives and the space fronting art gallery, to fly-door of the east lobby corridor, one man.

Section 13. For the north stairway from first floor, embracing entrance to senate chamber, and the space fronting art gallery, telegraph room, and hall leading thereto, to the east lobby corridor of senate, one man.

Section 14. For the rotunda gallery and halls, including four stairways and two water-closets, two men.

Section 15. For cleaning spittoons and cuspidors of the house and senate committee rooms, corridors, etc. (which work will have to be performed principally at night), three men.

Section 16. For raising flag on top of the dome during sessions of the general assembly, and keeping the flag-hoisting apparatus and machinery in the lantern in order, etc., and who shall also assist in any general work assigned them, two men.

Section 17. For attending to the shipping and packing rooms, and for the proper dispatch of the work of that department, three men.

Section 18. To prevent idle and mischievous persons from loitering in the basement and other corridors, and purloining coats, hats, etc., three men, who shall act as police, one to be assigned to each floor.

Section 19. To attend to lighting gas in house and senate rotunda corridors, water-closets and other rooms, and to see that no gas is wasted or left burning in any of the rooms or closets, to keep the globes in a cleanly condition, and to repair all defective burners, one man.

Section 20. Two carpenters, each two dollars per day.

## CONCERNING THE CONSTRUCTION OF AN ELEVATOR.

*Resolved by the House of Representatives, the Senate concurring therein,* That the secretary of state be authorized, and is hereby required, to procure the construction of an elevator in the capitol building, for the use of the senate and house of representatives, and that the same be completed and ready for use as soon as possible.

---

## CONCERNING LEGISLATION BY CONGRESS AGAINST POOLING OF EARNINGS BY RAILROADS.

WHEREAS, by the consolidating of the great railroad corporations and interests of this and other states, great influences and power are obtained and exercised by them, which threatens to interfere with and discriminate against the inter-state commerce of our country, and

WHEREAS, the protection of shippers against unjust discrimination by railroads is absolutely essential to the life of commerce, and is a matter of material concern, and

WHEREAS, there are several bills now pending in the congress of the United States, for the regulation and protection of our inter-state commerce, and they are now being considered; therefore,

*Resolved by the House of Representatives, the Senate herein concurring,* That our representatives in congress be requested, and our senators instructed, to use their best efforts to secure the passage of such measure or measures as will relieve our commerce from unjust discrimination by railroad corporations, and protect the inter-state commerce of our common country by law.

*Resolved,* That a copy of these resolutions be furnished to each of our United States senators and members of congress.

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## CONCERNING THE PLACING OF ULYSSES S. GRANT ON THE RETIRED LIST OF THE ARMY.

WHEREAS, the people of the state of Illinois feel a just pride in the illustrious career of the most distinguished citizen of this state, General Ulysses S. Grant, and regard with pleasure the meed of honor and admiration which has been bestowed upon him throughout the civilized world; and

WHEREAS, his civil and military services have conspicuously tended to add to the lustre and renown of this Nation, and will illumine the pages of history; and

WHEREAS, services so marked and distinguished have been by all nations, and in all ages, accorded a special recognition by the national authority; therefore be it

*Resolved by the House of Representatives, the Senate concurring herein, in behalf of the People of the State of Illinois,* That our senators in congress be instructed, and our representatives be requested, to use all honorable means to secure the passage of a suitable law for the retirement of Ulysses S. Grant, with the rank of general, and we commend the action of our senators and representatives who have favored the passage of such a law.

*Resolved,* That the secretary of state be and is hereby instructed to forward copies of these resolutions to our senators and representatives in congress.

---

CONCERNING THE PRINTING OF THE DAILY JOURNAL, CALENDAR, AND MANUAL.

*Resolved by the House of Representatives, the Senate concurring herein,* That the secretary of state order printed for the use of this general assembly, the daily journal, the daily calendar, and manual, when ordered by either house; said orders for printing to be made upon requisition of the proper officer of the respective houses.

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CONCERNING THE IMPROVEMENT OF STURGEON BAY BY THE GENERAL GOVERNMENT.

WHEREAS, for the want of sufficient and well improved harbors on the Upper Mississippi river, there is great annual destruction of steamboats and other water-craft, as well as timber and lumber rafts, by the breaking up of ice and by storms on said river, involving losses of great magnitude to the shipping interests of the entire Mississippi valley; and

WHEREAS, Sturgeon Bay, on the Upper Mississippi river, opposite to the city of New Boston, in Mercer county, considering its locality, is the best natural harbor on the upper division of said river, embracing, as it does, a body of still water one and a half miles in length, three-fourths of a mile wide, and fifteen feet deep, and about half way between the cities of St. Louis and St. Paul; that

said harbor will afford a safe and convenient shelter and protection for vessels, timber and lumber rafts, being in a latitude where safe harborage is absolutely necessary during the severe and rigorous winters that are usual in that latitude; that the bay has two or three bars that it is necessary to remove in order to make it safe and commodious for a harbor, which can be done with comparatively small expense, considering the great advantage it will be to the shipping interest of the Upper Mississippi river;

*Resolved, therefore, by the House of Representatives, the Senate concurring herein,* That our representatives in congress from the state of Illinois be and they are hereby requested to use all honorable means to secure the permanent improvement of Sturgeon Bay by the government of the United States, in such a manner as to make it a safe and permanent harbor on said river; and, be it further

*Resolved,* That the secretary of state be and he is hereby requested to transmit a copy of these resolutions to each of the representatives and senators in congress from the state of Illinois.

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CONCERNING THE EXPORTATION OF TOBACCO.

WHEREAS, under date of February 6, 1880, a memorial was addressed by the tobacco board of trade of Nashville, Tennessee, to the congress of the United States, setting forth the fact that a great injury and manifest injustice is being done to one of the largest agricultural interests in this country, and to every one interested in the purchase or sale of one of [the] great staples produced in thirteen different states of this Union, viz: leaf tobacco; and,

WHEREAS, this great injury and manifest injustice is caused by the fact, as further set forth in said memorial, that in the countries of France, Spain, Italy and Austria, in Europe, the importation and sale of this great staple is made a government monopoly, and that in no other way than through this government monopoly is tobacco allowed to be imported into their dominions, and this to the great detriment of the thousands of this country interested as producers or dealers therein, by depriving them of competition in the sale thereof; and,

WHEREAS, the Hon. John F. House, member of congress from Tennessee, in pursuance of said memorial of the Nashville board of trade, and a letter previously addressed by him to the secretary of state of the United States, did, on the — day of February, 1880, introduce in the congress of the United States a joint resolution, requesting the president of the United States to open negotiations with the four great governments before mentioned, viz: France,

Spain, Italy and Austria, with a view to securing the relief asked in the aforementioned memorials and resolutions, which joint resolution was passed by both houses of congress; and,

WHEREAS, his excellency, the president of the United States, has as yet taken no action, as requested by said joint resolution of congress, to relieve this great staple of the oppressive burden and the unjust discrimination to which it is subjected by the operation of the great monopolies of the four governments of Europe, before mentioned, viz: France, Spain, Italy and Austria, and

WHEREAS, the people of the state are largely engaged in the production, purchase and sale of leaf tobacco, [and] consequently suffer great damage and loss by the operation of these great monopolies of European governments; therefore, be it

*Resolved by the House of Representatives, the Senate concurring herein,* That his excellency, the president of the United States, be and he is hereby most urgently requested to take immediate action in this matter, in accordance with the aforementioned joint resolution of congress of the United States, and to the great relief of the citizens of this and many other states of this Union; therefore, be it further

*Resolved,* That our senators in congress be and they are hereby instructed, and our representatives requested, to exert themselves to the utmost of their influence and ability to secure the relief prayed for in the aforementioned memorials, as of the greatest importance to the agricultural and commercial interests of this state.

*Resolved,* That copies of this preamble and these resolutions be forwarded to his excellency, the president of the United States, and to the honorable secretary of state of the United States, and to each of our senators and representatives in congress.

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CONCERNING THE CONSTRUCTION OF FISHWAYS BY THE CANAL COMMISSIONERS.

WHEREAS, it appears, from statements made by the fish commissioners of the state of Illinois, that the dams constructed by the state of Illinois are not sufficient to meet the requirements of the present law in regard to fishways; therefore, be it

*Resolved by the House of Representatives, the Senate concurring herein,* That the canal commissioners of the state of Illinois be and are hereby instructed to complete or reconstruct said dams, so that they may afford easy and ample opportunity for fish to pass over said dams.

---

CONCERNING THE REVISION OF RAILROAD SCHEDULES BY THE RAILROAD AND  
WAREHOUSE COMMISSION.

WHEREAS, the period of nearly eight years has elapsed since the schedule of the freight and passenger rates on railroads in the state of Illinois was fixed by the railroad and warehouse commissioners; and

WHEREAS, the rapid growth of the country, and the large increase of business and earnings of the leading roads in the state, as shown by the reports, make it manifest that freight and passengers may be transported on said roads at a much lower rate than is fixed by the schedule now in force, and thereby the producing and commercial interests of the state be greatly benefited, and no wrong done to the railroads; therefore, be it

*Resolved by the House of Representatives, the Senate concurring herein,* That the railroad and warehouse commissioners be and they are hereby requested to revise the schedule of rates of freight and passengers for the railroads of the state of Illinois, as soon as practicable, and make such reduction in rates as, in their judgment, would be just and fair between the railroad companies and the producing interests in the state of Illinois.

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CONCERNING THE APPOINTMENT OF EMORY COBB AS COMMISSIONER OF  
AGRICULTURE.

*Resolved by the House of Representatives, the Senate concurring herein,* That the representatives and senators in congress from the state of Illinois be and they are hereby requested to use all honorable means to secure the appointment of Hon. Emory Cobb, of Kankakee, Illinois, as United States commissioner of agriculture.

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CONCERNING REGISTRATION OF PATENTS.

WHEREAS, there are now existing and in use in this state an innumerable multitude of devices, attachments, combinations and machines, which have been patented under the laws of the United States; and

WHEREAS, there is no system of record to show to whom the same belong, and in the nature of the case it would be impracticable to record in every county in the United States the original

patent, and the numerous sub-divided rights—such as state, district, county, township, manufacturing, farm and other rights; and

WHEREAS, manufacturers of nearly every kind, and the owners of machinery of every character, including rubber used by druggists [dentists], shuttles of sewing machines, mould boards of a plow, farm gates, pumps, churns, hay presses, scales, and particularly some parts of machinery used in manufacturing flour, have been made again and again to pay royalty for using said patents, even though the party then using said patent had bought the property with the machinery already in use by prior owner, and paid full value therefor, without knowledge of any latent claim existing, and no way of finding out the existence thereof; and

WHEREAS, many of our citizens have been threatened with suits, and sued in the United States courts, and blackmailed rather than to be taken far from home, and subjected to heavy expenses; therefore, be it

*Resolved by the House of Representatives, the Senate concurring,* That our members of congress and United States senators be requested to use their best endeavors to procure the enactment of such laws as will protect innocent purchasers of patent machinery, and to have the claim of royalty so restricted, that injustice shall not be perpetrated upon our citizens, by threats of suits, or suits remote from their homes, upon patents or claims of royalty, without innocent purchasers first having, without expense to themselves, an easy [avenue of] knowledge to learn the title of the claimant.

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CONCERNING THE DEATH OF THOMAS MATTHEW HALPIN.

WHEREAS, Hon. Thomas Matthew Halpin, of Chicago, Cook county, Illinois, an esteemed and eminent member of the house of representatives of the state of Illinois, in the 28th and 29th general assemblies, has recently died in Chicago; therefore, be it

*Resolved, that the House of Representatives, the Senate concurring therein,* on behalf of the people of the state of Illinois, express sincere regret at the loss of so useful a citizen and so honorable a member of the community.

*Resolved,* That these resolutions be spread upon the records of this general assembly, and a copy thereof, properly attested, be forwarded to the sorrowing widow of the deceased.

---

CONCERNING DESTRUCTION OF MINNESOTA STATE CAPITOL, AND OF ILLINOIS DOCUMENTS DESTROYED—DONATION.

WHEREAS, the state capitol of the state of Minnesota, located at St. Paul, was destroyed on the night of March 1, 1881, by fire, causing the destruction and loss of their state library, including

five or six thousand volumes of law books and complete sets of reports of the federal and state courts; and

WHEREAS, by comity between the states, it is customary for each to exchange with one another copies of their public documents and reports, and decisions of their state courts; therefore, be it

*Resolved by the House of Representatives, the Senate concurring herein,* That the secretary of the state be and he is hereby instructed to furnish and forward to the governor of the state of Minnesota, for its state library, one copy each of such public documents, reports, digests and reports of the decisions of the supreme court of this state, or such as he may deem can be spared from the reserve numbers of such volumes as he has on hand in the public library.

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CONCERNING SUBMISSION OF ESTIMATES IN DETAIL BY OFFICERS OF STATE INSTITUTIONS WHEN ASKING FOR APPROPRIATIONS.

*Resolved by the House of Representatives, the Senate concurring herein,* That the trustees and officers of state institutions making application to the general assembly for appropriations for building or other improvements, be and they are hereby directed, in their next printed biennial reports, to submit drawings and estimates showing the character and probable cost of every such proposed improvement, with the amount of labor and material, and the price of the same, in sufficient detail to enable the legislature readily to comprehend, judge and determine as to the propriety of making the appropriations asked.

EXECUTIVE DEPARTMENT,  
OFFICE OF SECRETARY OF STATE.UNITED STATES OF AMERICA, } ss.  
STATE OF ILLINOIS. }

I, HENRY D. DEMENT, Secretary of State of the State of Illinois, do hereby certify that the foregoing published acts and resolutions of the Thirty-second General Assembly of the State of Illinois, are true and correct copies of said acts and resolutions, filed in the office of the Secretary of State, with the exception of words or letters printed in brackets, thus [ ].

IN WITNESS WHEREOF I have hereto set my hand and affixed the great seal of State,  
at the city of Springfield, this fifteenth day of June, A. D. 1881.

HENRY D. DEMENT,  
*Secretary of State.*

[L. S.]



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